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ACKNOWLEDGEMENTS

This Historic Structures Report was put together with the cooperation of many individuals, organizations, and agencies. The Powell County Museum and Arts Foundation initiated this report under the direction of James G. Blodgett, its president. James Blodgett, who is also Deputy Warden of the Montana State Prison, was instrumental in obtaining the necessary grants needed to fund this project. Also he has been instrumental in seeing that this site is restored and retained for the people of the City of Deer Lodge and the State of Montana.

Funds for the preparation of this report were obtained from the Old West Regional Commission, Newell Anderson, Director, and a match grant from the grant-in-aid program provided by the Heritage Conservation and Recreation Service, U.S. Department of Interior. The preservation grant was administered by the Montana State Historic Preservation Office under the direction of Robert Archibald and Edrie Vinson.

Departments and agencies that should be recognized are the Montana Department of Institutions, Montana State Prison Staff, Montana Historical Society, University of Montana Mansfield Library, and many other numerous departments, agencies and staffs.

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TABLE OF CONTENTS

	<u>Page</u>
Acknowledgements	
Table of Contents	
List of Illustrations	
Prologue	1
History	
Chapter I - The Construction of the Montana Territorial Prison.	3
Chapter II - The Conley Era 1890-1921	12
Chapter III - The Aftermath of the Conley Era 1921-1935.	30
Chapter IV - The 1950's.	35
Chapter V - Epilogue	43
Structure History.	45
Chronological Structure List	66
Architectural Analysis	69
Recommendations for Preservation	109
Specifications	113
Footnotes.	122
Appendix A - Miscellaneous Maps.	132
Appendix B - Sanborn Maps.	136
Appendix C - Architectural Drawings.	143
Appendix D - 1897 Annual Report.	155
Appendix E - List of Wardens	171

LIST OF ILLUSTRATIONS

	<u>Page</u>		<u>Page</u>
Early sketch of the Federal Penitentiary, Deer Lodge, from "The West Shore" February 1883 Courtesy of University of Montana Archives		Figure 9: Wall construction 1893.	17
Figure 1: Main entrance Montana State Prison, ca. 1930.	1	Courtesy of James G. Blodgett, Montana State Prison	
Figure 2: Early view of Deer Lodge with Federal Penitentiary.	6	Figure 10: Convict road crew	18
Courtesy of Montana Historical Society		Courtesy of James G. Blodgett, Montana State Prison	
Figure 3: Original Territorial Penitentiary Building constructed 1870-1885.	10	Figure 11: Convict road crew at Flathead Lake 1913.	19
Courtesy of James G. Blodgett, Montana State Prison		Nineteenth Annual Report 1914 Courtesy of Montana Historical Society	
Figure 4: Colonel Thomas McTague	12	Figure 12: Hospital at Warm Springs. Built by prison labor 1919	20
Courtesy of James G. Blodgett, Montana State Prison		Twenty-second Annual Report Courtesy of Montana Historical Society	
Figure 5: Frank Conley	13	Figure 13: Administration building at Warm Springs. Built by prison labor 1919	20
Courtesy of James G. Blodgett, Montana State Prison		Twenty-second Annual Report Courtesy of Montana Historical Society	
Figure 6: Conley's prison guards 1899	14	Figure 14: Deputy Warden John Robinson	21
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 7: Main entrance Montana State Prison, ca. 1900.	16	Figure 15: Inmate George Rock.	21
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 8: View of west side of Prison, ca. 1900.	16	Figure 16: Inmate William Hayes.	22
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
		Figure 17: Execution of George Rock.	22
		Courtesy of James G. Blodgett, Montana State Prison	

	<u>Page</u>
Figure 18: Military training during World War I.	24
Courtesy of James G. Blodgett, Montana State Prison	
Figure 19: Frank Conley supporting the war effort	24
Courtesy of James G. Blodgett, Montana State Prison	
Figure 20: Prison band playing in yard.	27
Courtesy of James G. Blodgett, Montana State Prison	
Figure 21: Inmate leather crafts.	35
Courtesy of Montana Historical Society	
Figure 22: Prison toy shop.	35
Courtesy of Montana Historical Society	
Figure 23: License plate factory.	36
Courtesy of Montana Historical Society	
Figure 24: Ranch headquarters	36
Courtesy of James G. Blodgett, Montana State Prison	
Figure 25: View of prison ranch	37
Courtesy of James G. Blodgett, Montana State Prison	
Figure 26: Hospital and north yard, ca. 1955.	42
Courtesy of Montana Historical Society	
Figure 27: Administration and 1896 cell house, ca. 1955	42
Courtesy of Montana Historical Society	
Figure 28: View of yard and structures, ca. 1955	42
Courtesy of Montana Historical Society	

	<u>Page</u>
Figure 29: Montana State Prison Fire Department.	43
Courtesy of James G. Blodgett, Montana State Prison	
Figure 30: Original Territorial Penitentiary Building constructed 1870-1885.	46
Courtesy of James G. Blodgett, Montana State Prison	
Figure 31: Dining room-hospital constructed 1895.	48
Courtesy of James G. Blodgett, Montana State Prison	
Figure 32: Inmate cooks in kitchen	49
Twentieth Annual Report 1916 Courtesy of Montana Historical Society	
Figure 33: 1896 cell block	49
Courtesy of James G. Blodgett, Montana State Prison	
Figure 34: Interior of 1896 cell block	50
Courtesy of James G. Blodgett, Montana State Prison	
Figure 35: Demolition of cell block 1959.	51
Courtesy of James G. Blodgett, Montana State Prison	
Figure 36: Interior of cold storage plant constructed 1912.	51
Twenty-third Annual Report 1922 Courtesy of Montana Historical Society	
Figure 37: Log cell house 1890.	52
Courtesy of James G. Blodgett, Montana State Prison	

	<u>Page</u>		<u>Page</u>
Figure 38: Power plant in yard 1908.	53	Figure 48: Interior of 1912 cell block	59
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 39: Hospital 1908	53	Figure 49: "The Hole" 1912 cell block	60
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of Montana Historical Society	
Figure 40: Stone cutting and wall construction 1893	54	Figure 50: Original wooden bridge.	60
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 41: Women's quarters constructed 1907-1908.	55	Figure 51: Concrete bridge 1913	61
Courtesy of James G. Blodgett, Montana State Prison		Nineteenth Annual Report 1914 Courtesy of Montana Historical Society	
Figure 42: Women's quarters converted to maximum security 1959	56	Figure 52: Trustee bunkhouse 1916	61
Courtesy of James G. Blodgett, Montana State Prison		Twentieth Annual Report 1916 Courtesy of Montana Historical Society	
Figure 43: Drawing of Montana State Prison 1912 .	56	Figure 53: W. A. Clark Theater in Prison 1919.	62
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 44: View of yard, ca. 1920	57	Figure 54: Interior of W. A. Clark Theater . . .	62
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 45: Extension of wall and building of northwest tower 1912.	57	Figure 55: "Last Supper" backdrop painted by Ellis John	63
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 46: Construction of 1912 cell block. . . .	58	Figure 56: Interior yard (1935 hospital, 1912 cell block, 1932 administration building, yard guard towers).	64
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of James G. Blodgett, Montana State Prison	
Figure 47: 1912 cell block.	59	Figure 57: Inmate dormitory in the administration building basement 1959.	64
Courtesy of James G. Blodgett, Montana State Prison		Courtesy of Montana Historical Society	

Figure 58: Aerial view of the Montana
State Prison site, ca. 1965. 71
Photo by Montana Highway Department

Figure 59: Existing Prison site plan. 73

Figure 60: Looking southwest at the
interior yard. 74
Photo by James R. McDonald

Figure 61: Looking northwest at the
interior yard. 74
Photo by James R. McDonald

Figure 62: Looking northwest at a
section of the east wall. HS-1. 77
Photo by James R. McDonald

Figure 63: Looking west at a section
of the east sandstone wall. HS-1. 77
Photo by James R. McDonald

Figure 64: Looking northwest at tower 7,
the main entrance. HS-1A. 78
Photo by James R. McDonald

Figure 65: Looking southeast at tower 7
from the inside yard. HS-1A 78
Photo by James R. McDonald

Figure 66: Looking northeast at tower 6
from the inside yard. HS-1B 79
Photo by James R. McDonald

Figure 67: Looking northeast at the
exterior entrance to tower 5. HS-1C 79
Photo by James R. McDonald

Figure 68: Looking northwest at tower 4.
HS-10. 80
Photo by James R. McDonald

Figure 69: Looking southeast at tower 3
(HS-1E) and the maximum security wall. HS-1. . 80
Photo by James R. McDonald

Figure 70: Looking southwest at tower 2
from the inside yard. HS-1F. 81
Photo by James R. McDonald

Figure 71: Looking west at tower 2 from
the top of the wall. HS-1F 81
Photo by James R. McDonald

Figure 72: Looking east at tower 1 from
the inside yard. HS-1G 82
Photo by James R. McDonald

Figure 73: Looking north at the exterior
entrance to tower 1. HS-1G 82
Photo by James R. McDonald

Figure 74: Looking south at a gate in
the south wall. HS-1 83
Photo by James R. McDonald

Figure 75: Looking north at a gate in
the south wall. HS-1 83
Photo by James R. McDonald

Figure 76: Looking north at the exterior gate
of the sallyport. HS-1H. 84
Photo by James R. McDonald

Figure 77: Looking south at the interior yard
doors of the sallyport. HS-1H. 84
Photo by James R. McDonald

Figure 78: First floor plan - cell house.
HS-2. 86

Figure 79: Typical upper floor plan -
cell house. HS-2 87

	<u>Page</u>
Figure 80: Looking northeast at the cell house. HS-2 88 Photo by James R. McDonald	Figure 91: Looking north at the industries/hospital building. HS-3 95 Photo by James R. McDonald
Figure 81: Looking east at the main entrance of the cell house. HS-2 88 Photo by James R. McDonald	Figure 92: Looking northeast at the power plant and stack. HS-4 95 Photo by James R. McDonald
Figure 82: Guard cages in cell house. HS-2 . . . 89 Photo by James R. McDonald	Figure 93: Looking north at the water tower. HS-5 97 Photo by James R. McDonald
Figure 83: Typical cell in the cell house. HS-2 89 Photo by James R. McDonald	Figure 94: Looking southeast at the maximum security building (formerly the women's prison). HS-6 97 Photo by James R. McDonald
Figure 84: Locking mechanism at each gallery in the cell house. HS-2 90 Photo by James R. McDonald	Figure 95: Looking southwest at the theater. HS-7 99 Photo by James R. McDonald
Figure 85: Brass plate of company supplying the original cells in the cell house. HS-2 . . . 90 Photo by James R. McDonald	Figure 96: Looking at the underside of the theater portico. HS-7 99 Photo by James R. McDonald
Figure 86: Winter deterioration of a typical cell in the cell house. HS-2 91 Photo by James R. McDonald	Figure 97: Lower floor plan - administration. HS-8 101
Figure 87: Winter deterioration of the cell house wall. HS-2 91 Photo by James R. McDonald	Figure 98: Upper floor plan - administration. HS-8 102
Figure 88: Looking north along the parapet wall and roof of the cell house. HS-2 92 Photo by James R. McDonald	Figure 99: Looking northeast at the administration building. HS-8 103 Photo by James R. McDonald
Figure 89: Looking north along the roof of the cell house. HS-2 92 Photo by James R. McDonald	Figure 100: Looking south at the roof of the administration building. HS-8 103 Photo by James R. McDonald
Figure 90: Plan - hospital. HS-3 94	Figure 101: Plan - industries. HS-9 105

	<u>Page</u>
Figure 102: Looking northeast at the industries building. HS-9	106
Photo by James R. McDonald	
Figure 103: Looking south at the industries building entrance from the yard. HS-9	106
Photo by James R. McDonald	
Figure 104: Looking southwest at the carpentry shop, now a museum. HS-10	108
Photo by James R. McDonald	
Figure 105: Looking northwest at the Conley Bridge. HS-11.	108
Photo by James R. McDonald	
Figure 106: Map showing the ranches of Conley and McTague, 1896	133
Courtesy of James G. Blodgett, Montana State Prison	
Figure 107: Map of the Montana State Prison property, 1910.	134
Courtesy of James G. Blodgett, Montana State Prison	
Figure 108: Map of the Montana State Prison, 1928	135
Courtesy of James G. Blodgett, Montana State Prison	
Figure 109: Partial Sanborn Map of the Montana State Penitentiary, 1890	137
Courtesy of Montana Historical Society	
Figure 110: Partial Sanborn Map of the Montana State Penitentiary, 1894	138
Courtesy of Montana Historical Society	

	<u>Page</u>
Figure 111: Partial Sanborn Map of the Montana State Penitentiary, 1908.	139
Courtesy of Montana Historical Society	
Figure 112: Partial Sanborn Map of the Montana State Penitentiary, 1912.	140
Courtesy of Montana Historical Society	
Figure 113: Partial Sanborn Map of the Montana State Penitentiary, 1929.	141
Courtesy of Montana Historical Society	
Figure 114: Sanborn Map of the Montana State Prison, 1940.	142
Courtesy of Montana Historical Society	
Figure 115: Original plans for the main entrance tower, 1911.	144
Courtesy of Montana State University Archives	
Figure 116: Original plans for the west lookout tower, 1911	145
Courtesy of Montana State University Archives	
Figure 117: Original foundation plan of the 1912 cell house	146
Courtesy of Montana State University Archives	
Figure 118: Original first floor plan of the 1912 cell house	147
Courtesy of Montana State University Archives	
Figure 119: Original third tier plan of the cells and guards' balcony of the 1912 cell house.	148
Courtesy of Montana State University Archives	
Figure 120: Original ceiling and roof plan of the 1912 cell house.	149
Courtesy of Montana State University Archives	

Page

Figure 121: Original west elevation drawing
of the 1912 cell house 150
Courtesy of Montana State University Archives

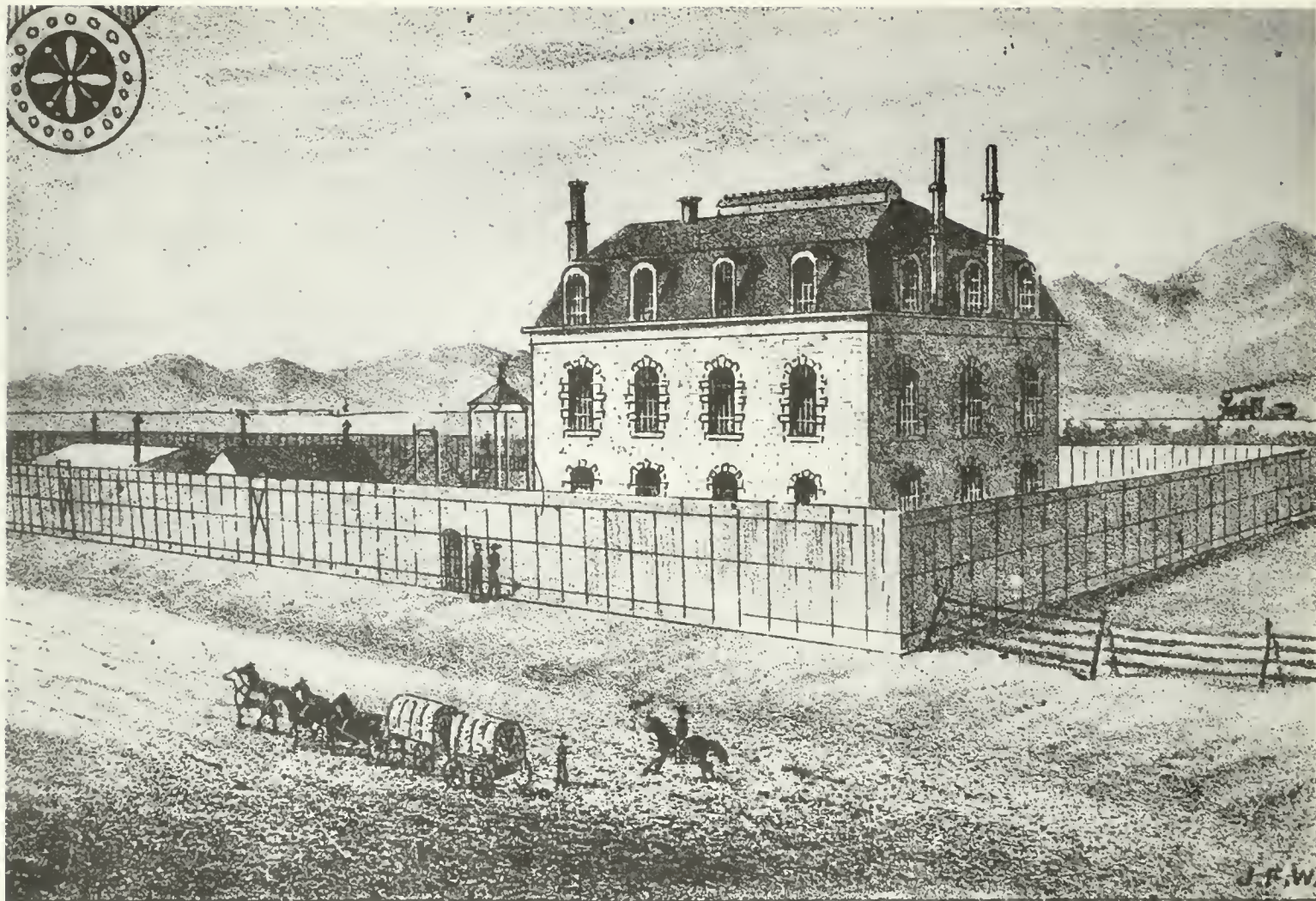
Figure 122: Original east elevation drawing
of the 1912 cell house 151
Courtesy of Montana State University Archives

Figure 123: Original north/south elevations
and transverse sections of the 1912 cell
house. 152
Courtesy of Montana State University Archives

Figure 124: Original longitudinal section
of the 1912 cell house 153
Courtesy of Montana State University Archives

Figure 125: Original entrance door
details of the 1912 cell house 154
Courtesy of Montana State University Archives

PROLOGUE



TERRITORIAL PENITENTIARY, DEER LODGE.

EARLY SKETCH OF THE TERRITORIAL PENITENTIARY

PROLOGUE

A STATEMENT OF SIGNIFICANCE

The Deer Lodge Penitentiary is of national, state, and local significance. It has a rich and fascinating history covering more than 100 years; from the construction of the Prison and employment of convict labor to the 1908 and 1959 riots. The Prison first served as the site of Montana's original Federal Penitentiary (1871-1889), then as Montana's sole penal institution (1889-1970s), and finally, during the present transitional period, as a secondary facility. The most active years for the Prison were between 1890 and 1921 when much of the physical plant was constructed.

Frank Conley, during his tenure as warden for those 30 years (one of the longest for any warden in U.S. history)¹, transformed a rapidly deteriorating penitentiary into a modern prison. In 1893 Conley inau-



Figure 1: Main entrance Montana State Prison, ca. 1930

gured his plan of prison construction, an effort which spanned almost three decades. Through sheer determination and ambition, Conley ensured the survival of the Deer Lodge Prison. The stone wall enclosure (1893, extended in 1912), the cell house (1912), and the prison theater (1919) are the most significant structures constructed under Frank Conley's direction. To build these structures Conley adopted an unprecedented use of convict labor, much to the benefit of the Penitentiary and the state as a whole.

Throughout Montana, Conley dispatched prison work crews to construct roads and state institutional buildings. For example, prison crews built approximately 500 miles of roads at Flathead Lake, MacDonald Pass, and various counties across the state (Flathead, Missoula, Powell, etc.)² The institutional buildings constructed were predominantly at the Montana State Hospital for the Insane (Warm Springs) and the Montana State Tuberculosis Sanitarium (Galen.)

While warden at the Penitentiary Conley also served for many years as the mayor of Deer Lodge. Consequently, Frank Conley and the Prison, symbolized by its fortress facade, became synonymous with the city of Deer Lodge. Its citizens were mutually wary and proud of the Prison adjoining the city.

The Great Depression of the 1930s initiated a 20 to 30 year period of neglect and indifference to the Prison's development. Prison and state officials failed to arrest the incessant and insidious deterioration of the Penitentiary. This trend continued until the 1959 riot attracted national attention and prompted a re-evaluation of the Prison's purpose and future.

In effect, the 1959 riot marked the demise of the Deer Lodge Penitentiary. For the next 15 years, debates focused on the planning, funding, and construction of a new prison. By the mid-1970s the Deer Lodge Penitentiary was supplanted by the new penal institution located at the outskirts of Deer Lodge.

HISTORY

CHAPTER I

THE CONSTRUCTION OF THE MONTANA TERRITORIAL PRISON 1865-1890

The Breakdown of Law in the Territory

"Swift and terrible retribution," Thomas Dimsdale proclaimed, "is the only prevention of crime, while society is organizing in the far West."¹ Confronted with unremitting lawlessness and an impotent legal system, ordinary citizens throughout Montana sympathized with Dimsdale's pronouncement. In the early 1860s, as mining towns sprouted throughout the territory (Bannack, 1862; Alder Gulch, 1863), Montana suffered a rapid influx of transients, "cutthroats, thieves, and fast buck artists"² to these mining camps where "greed, murder, thievery, and cruelty were facts of life."³ Visions of immediate wealth and unlimited riches lured thousands to Montana where, by 1866, the population numbered approximately 28,000.⁴ Increased lawlessness and a high crime rate accompanied the mercurial settlement of Montana.

Victimized by notorious coterie such as the Plummer Gang, and isolated from Federal authority, local citizens reluctantly abandoned their faith in accepted legal authorities. Throughout Montana desperate groups of citizens formed self-protection associations: the vigilantes. As evidenced by the rapid but brutal decline of the Plummer Gang, vigilante activity demonstrated its effectiveness. Yet, uneasiness prevailed since vigilante activity represented an insidious threat which also endangered civil society. The swiftness of vigilante justice often claimed the innocent as well as the guilty. In 1864 at Alder Gulch, James Brady lost his life for a murder never committed. Later, outside Bannack, vigilantes hanged another law-abiding young man.⁵

Vigilante activity forced many Montanans to advocate

the strengthening of the law and legal system in the Territory. Judge Hezekiah L. Hosmer, organizer of Montana's first Territorial court, was one who argued for the sanctity of the law.

Let us give everyman, how aggravated soever his crime, the full benefit of the freeman's right--an impartial trial by jury. Vigilantes and courts--and all good men can cooperate in fulfilling the grand purpose of the criminal law; that of bringing offenders to justice, without violating any of its provisions; but the very first element in such a warfare against crime must be the general recognition of courts of law, as the great conservator of peace and safety.⁶

Until Montana established effective legal institutions, Hosmer's plea would remain just an abstract and impotent principle.

The inhabitants of Montana Territory demanded not only protection against crime, but also the means to enforce sentences handed down by the courts. The construction of a Territorial prison became mandatory if peace was to reign in Montana.

The Beginnings of a Territorial Prison

The lack of sufficient prison facilities contributed greatly to the pervasive lawlessness in the Territory. In 1866, citizens of Virginia City petitioned for the release of a convicted criminal. Apparently, the prohibitive expenses of confinement overshadowed the heavily burdened taxpayer's sense of justice. The lack of a prison in Helena forced the U.S. Marshall to handcuff prisoners to his own bedpost at night.⁷ These two instances merely spotlighted the Territory's dire need for a prison.

On December 7, 1866, a representative to the Territorial

government, John N. Rodgers, introduced House Bill Memorial No. 7. The bill sought Federal "appropriations for a territorial prison," and passed easily, 19-0.⁸ Within two months the United States Congress honored Rodgers' request. On January 22, 1867, Congress authorized "that the net proceeds of the internal revenue of the territories of Nebraska, Washington, Colorado, Idaho, Montana, Arizona, and Dakota. . . be . . . set aside and appropriated to and for the purpose of erecting, under the direction of the Secretary of the Interior, penitentiary buildings in said several Territories."⁹ The bill designated responsibility regarding the selection of the prison site to the respective Territorial legislatures, subject to approval by the Secretary of the Interior. Congress limited the sum set aside for the Montana Penitentiary to no more than \$40,000.00.

On the very day the appropriation became law, the Territorial Legislative Assembly instructed C. S. Ream and William Sturgis "to locate and fix the site for said penitentiary."¹⁰ Ream and Sturgis enthusiastically endorsed Argenta, Montana, as the ideal location for a Territorial prison. But, for reasons unknown, the Territorial government overruled their recommendation. Within a month the legislature's chairman of Federal relations endorsed bill C.B. No. 24. The measure, entitled "an Act locating the penitentiary of Montana Territory," urged "locating the penitentiary of Montana, at Deer Lodge City, Deer Lodge County, Montana."¹¹ By a narrow margin, 4-3, the committee chose Deer Lodge over Argenta as a desirable site for the prison. Collectively, on November 19, 1867, the Territorial Legislative Assembly enacted the committee's recommendation into law:

Be it enacted by the Legislative Assembly of the Territory of Montana that the Penitentiary authorized to be located by the Legislative Assembly of the Territory of Montana by the act of Congress, approved January twenty second, A.D. 1867, is hereby located in

conformity with said act, at the City of Deer Lodge, in the county of Deer Lodge, Montana Territory. ¹²

Translating the act into reality proved a difficult, frustrating and time-consuming experience.

Acquisition of the Property

Soon after passage of C.B. No. 24, Montana Territorial Governor Green Clay Smith informed O. H. Browning, Secretary of the Interior, of the legislature's decision. "The early construction of the penitentiary," Smith declared, "is of paramount interest to the people of this territory."¹³ Smith described the prison site as follows:

The ground purchased contains, "four hundred and twenty eight thousand, three hundred twenty square feet" (428,320) or "eleven and 4/5 acres," is well situated, commanding (a) water interest upon Deer Lodge River of two thousand inches of water.¹⁴

Headed by J. S. Pemberton, a small group of Deer Lodge residents (including Granville Stuart) contested the government's claim to the land. But Secretary Browning garnered support from the Attorney General's Office in dismissing Pemberton's contention. The Attorney General pronounced the claim invalid since the United States already owned "the legal title to the proposed site."¹⁵ Eventually the U.S. government officially declared that "the aforesaid deed extinguishes whatever rights and interests the grantors therein hold to and in the premises,"¹⁶ thus supposedly freeing the government to embark immediately upon the construction of the prison. But insufficient funding, petty annoyances and other factors delayed prison construction for almost two decades.

Construction of the Deer Lodge Penitentiary

On January 28, 1869, an anxious James Cavanaugh, Montana's Territorial delegate, addressed Secretary Browning "to ascertain, if possible--the cause of delay in the erection of the penitentiary."¹⁷ Cavanaugh forcefully reminded the Secretary that the appropriated funds "had been lying idle for twenty four months and six days awaiting the action of the (Interior) Department."¹⁸ Henceforth, the Supervising Architect of the Treasury Department, Mr. Mollett, received instructions for the Interior Department to prepare plans and specifications for the Territorial penitentiary. The delays inherent in Federal-Territorial relations of that time proved the least of Montana's problems.

The Territory's limited financial means hindered the construction of the prison. A distraught Cavanaugh protested that Mollett's plan embodied "an edifice which cannot be constructed for less than \$100,000."¹⁹ With renewed fervor Cavanaugh enjoined the Interior Department to resubmit plans and specifications which satisfied the financial limitation imposed by Congress; but to no avail.

The troublesome task of constructing a penitentiary without the necessary funds fell on the shoulders of Armistead Hughes Mitchell, Superintendent of Construction and Building. On February 23, 1869, A. H. Mitchell assumed his designated responsibilities. After consulting a variety of contractors, Mitchell recognized that \$40,000--the amount of the appropriation--was inadequate.²⁰ Accordingly, "without the assistance of a professional architect," Mitchell devised a modified plan.²¹ Circumstances dictated curtailment of the original design. Rather than construct the prison as planned (south cell house wing, central building, north cell house wing), Mitchell recommended building only one wing of the proposed penitentiary.

The North Wing

A. H. Mitchell deemed even this large-scale reduction as unsatisfactory. Financial constraints forced Mitchell to eliminate an additional tier of cells (fourteen) and to forego cement in favor of local granite. Arguing that cement costs were prohibitive, Mitchell favored local "granite of excellent quality . . . and admirably adapted to any building purpose (which) can be procured within about nine miles of the site of the proposed penitentiary."²² Mitchell added that "there is (also) a quarry of good hard stone suitable for ordinary rubble masonry within about 8 miles."²³

Thus from the Prison's earliest history, a pattern was established. Federal control was weakened by the lack of sufficient funding, which encouraged the Penitentiary officials to respond as circumstances warranted. The prevailing system of prison administration at this time, the Auburn system, depended on nightly solitary confinement of prisoners and perpetual silence. Mitchell's legitimate modifications upset the delicate relationship between prison discipline and prison structures upon which the Auburn system depended. Future wardens, especially Frank Conley, were forced to take the initiative when devising prison policy.

With only minor changes, the Interior Department endorsed Mitchell's proposal. The instructions from the Interior Department specified:

The Wing to be 70 feet 2 inches by 44 feet 4 inches from out to out, and to contain 14 cells--each 6 feet by eight feet, 8 feet high in the clear. One cell to be used as a bathroom, with. . . sinks, etc. The dimensions and general arrangements will be as shown on plans. . . The second and third tiers of cells with the stairways and galleries--as per original plan--are omitted.²⁴

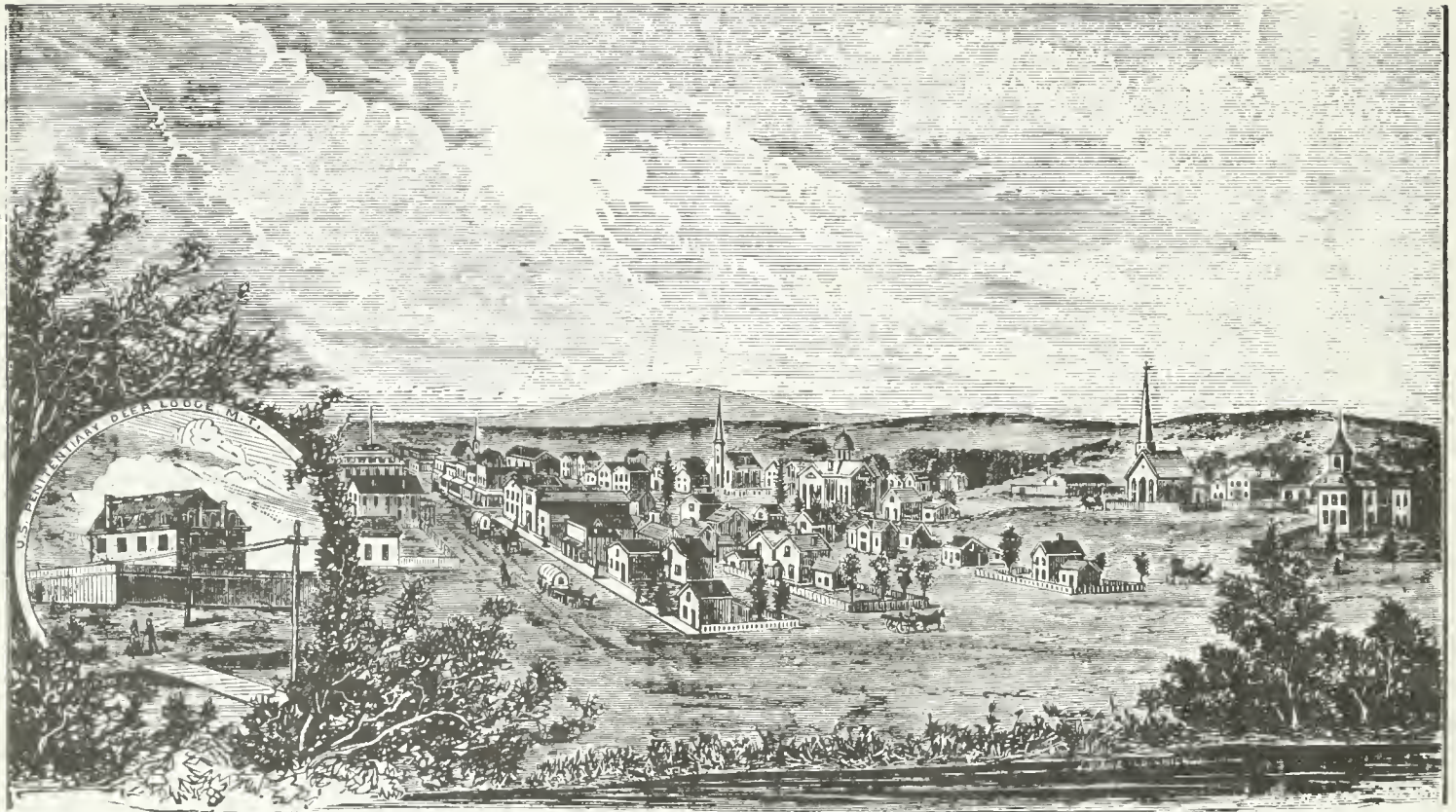


Figure 2: Early view of Deer Lodge with Federal Penitentiary

"I believe that the proposed building," Mitchell asserted, can be constructed at a cost inside the appropriation of \$20,000."²⁵ Finally free to act, on February 14, 1870, Mitchell contracted George McBurney and William Lenior to construct the new wing.

By mid-April, McBurney and Lenior began "making active preparations," and despite Lenior's sudden death on April 24, McBurney laid the cornerstone of the wing at 3 p.m., Thursday afternoon, June 2, 1870.²⁶ "The cornerstone--a fine block of granite--was prepared," according to a newspaper account, "with a

cavity for the reception of. . .articles. . .until destruction unlocks the casket to other generations."²⁷ Among the articles enclosed were copies of the INDEPENDENT, the NEW NORTH-WEST, U.S. coins and currency, and "eight ounces of pure 'Old Crow' whiskey packed and hermetically sealed."²⁸ Despite unseasonal weather (three snowstorms in August) and minor accidents (the explosion of a brick kiln), by October 6, 1870, Mitchell informed Cox that:

I have the honor to transmit herewith my certificate of the completion of the Left Wing of the Montana Penitentiary according to plans and specifications and of the terms of the contract for the construction of the same, and to my satisfaction and acceptance.²⁹

From the very beginning, it was apparent that the new wing failed to satisfy even minimal expectations. The finished wing entailed "nothing but bare stone walls, roof, floor, fourteen brick cells, six by eight feet, in the clear--with nothing between them and the roof, and only gratings for the lower windows."³⁰ Territorial Governor Benjamin Potts bemoaned the Prison's "unfinished condition," maintaining that to complete the structure required at least an additional \$4,500.³¹ "The cells," Potts lamented, "should be lined with iron, in order to make them safe."³² He appealed to Secretary of Interior Cox that "the present building be put in condition for present at an early date," since improper facilities "makes punishment of criminals very uncertain."³³ Potts considered the completed wing insufficient and surmised that it would "probably require one hundred thousand dollars to complete the other two wings."³⁴

The Opening and Operation of the Prison

The Deer Lodge Prison, as with all Federal penitentiaries, fell under the jurisdiction of the U.S.

Attorney General. "By law, the Prison "was placed under the charge of the United States Marshall and his deputies."³⁵ At the time, William F. Wheeler served as U.S. Marshall for Montana Territory. Wheeler recollected that the Prison "opened for the reception of territorial and United States convicts on the 2nd day of July 1871, on which day I received nine convicts."³⁶ The first prisoner received was Samuel E. Hughes who was serving a year's sentence for armed assault. Montana Territorial Governor Potts later reduced Hughes' sentence to 23 days with a pardon.

The Federal government bore most of the Prison's costs. Wheeler reported that:

The United States pays the total expense of the prison, which includes all salaries of officers, superintendents, guards and physicians, their subsistence with rooms, the subsistence and clothing of prisoners, all fuel and lights, all repairs and fixtures of every kind, and the Territory pays the United States one dollar per day for keeping its convicts as a full compensation.³⁷

The Department of Justice deemed the Prison's operational costs exorbitant and excessive. For instance, the Prison's maintenance expenses from November, 1872, to July, 1873, totaled \$21,429.00. Shockingly, only one Federal prisoner was incarcerated at Deer Lodge. The rest were Territorial convicts.³⁸

The imbalance in prison attendance prompted the U.S. Congress to transfer the penitentiaries in Montana, Idaho, Wyoming, and Colorado to their respective Territories by Congressional mandate in January, 1873. The government, however, retained legal title to the property.³⁹ On May 15, 1873, the Federal government relinquished the Deer Lodge Penitentiary and its twenty-one inmates to the Territory of Montana.

The Legislative Assembly authorized Governor Potts to

appoint a three-member directors' board and a warden to oversee the new Territorial facility. Hugh Duncan, J. H. Robertson, and Granville Stuart served as directors, while Potts appointed C. B. Adriance as warden. As their first act, the new directors petitioned for additional cells:

The building now in use consists of an unfinished wing of the plans adopted by the United States Government, and contains but thirteen cells. Each cell was designed but for the use of one prisoner. The discipline of the prison requires the prisoners to occupy different cells, and compelling two to sleep in a room only sufficient for one is injurious to their health. . . . We would recommend your Excellency (Potts) to request the Legislature to make an application to Congress for an appropriation to complete the present wing. The completion of this wing will give us twenty-eight additional cells, and judging from the fact that we now have nineteen prisoners, and that most of the recent arrivals have been for long terms, many of the cells asked for will soon be required.⁴⁰

Even the ordinary prison expenses strained the Territory's over-burdened treasury. "As the United States," according to Wheeler, "seldom has more than . . . four convicts, and the territory from twelve to twenty, the Legislative Assembly found the prison expensive, and memorialized Congress to resume its controls and to pay its expenses, which was done."⁴¹ The Act of June 20, 1874, restored operational responsibility to the Federal government,⁴² and on August 1, 1874, U.S. Marshall Wheeler returned as the Prison's administrator. The problem of improper facilities continued to plague the Prison.

Martin Maginnis, Montana's Territorial delegate, cam-

paigned zealously for additional cells, new construction, and humane facilities. Maginnis repeated a persistent complaint that "as the prison is overcrowded and in some cells two prisoners are confined in one cell--small and intended for one occupant--and this is about to be increased, it would seem that humanity and decent treatment of the convicts demands that they should not be overcrowded."⁴³

The Completion of the Prison

The urgings of elected officials prompted Territorial government officials to plan the construction of an additional tier of cells. Edward Clark, a government architect, estimated the cost at \$6,020.00. In August, 1874, Congress "made an appropriation to complete fourteen cells. . . in the Penitentiary at Deer Lodge."⁴⁴ Marshall Wheeler's description of the north wing in 1877 indicates that Congress' appropriation proved sufficient:

The building (is) of stone and its length is eighty and its width by forty feet on the outside. The walls are two feet thick and twenty-two feet high. The mansard roof makes a story and gives room for a third tier of cells. When the building was accepted it had but one tier of fourteen cells built in the center of the ground floor. . . . Since then I have constructed a second tier of cells, above the others at a cost of \$6,000.⁴⁵

Wheeler enclosed the Prison yard with a twelve-foot high board fence.

According to Wheeler, the inmates performed all the work on the Prison. Though Wheeler anticipated Frank Conley's later use of prison labor, he never adopted convict labor on a large scale. The inmates made their own clothes, cooked, cut lumber, and performed "all that is done for the prison and themselves."⁴⁶

Yet, Wheeler bemoaned, "the greatest misfortune to the prisoners is that they have no regular employment."⁴⁷ Wheeler found Deer Lodge residents either unable or unwilling to hire prison labor. And a prison incapable of housing its inmates properly offered nothing in terms of prisoner employment and industry.

Montana endured these inadequate prison facilities for more than a decade. On July 7, 1884, the Sundry Civil Appropriations Act appropriated only \$15,000.00 "to erect the unfinished portion of the U.S. Penitentiary at Deer Lodge."⁴⁸ Given the improper accommodations, the recently appointed Superintendent of Construction, U.S. Marshall Alexander B. Botkin, encouraged the Territorial government to begin "the work at the earliest possible day."⁴⁹

Accordingly, Governor John Schuyler Crosby appointed John T. Tiggs and W. Y. Simton to the newly formed Commission of Examiners. Crosby authorized the Commission to ascertain "whether or not there is sufficient strength in the walls already built to carry another tier of cells and for completing the work according to the original plan."⁵⁰ The Commission reported the wing to be in a weakened state:

We found the end walk at the north and south built in substantial stone foundation. The side, or east and west, walls of the tiers of cells have no stone foundation (of) sufficient (strength to) support another tier--in fact, scarcely any. The brick walls extend down eighteen inches to the ground and are now, and it is. . .always very damp. We do not find that any cement was used in laying them The brick below the surface is all soft and wet. The mortar and all material have lost whatever adhesive qualities they may have had.⁵¹

The Commission was "decidedly of the opinion that it

would not be safe to erect thereon another additional tier of cells. . .nor to materially increase the present weight on the stone foundation."⁵²

Despite the dire necessity for additional cells, the governor abandoned the project. Instead, the governor transferred the funds to the construction of a central administration building, a decision Botkin vehemently opposed. "The money is to be expended in the erection of the central building, which," Botkin protested, "is designed only for offices, and dormitories for the guards, of which there is no pressing need."⁵³ Botkin objected to further delay in the construction of additional cells and remonstrated about the perilous overcrowded conditions. "I regard," Botkin warned, "the proposed expenditure as wholly unwise and unwarranted."⁵⁴ The plea fell on deaf ears.

James W. Mills, a former Secretary of State and a Deer Lodge resident, assumed his duties as Superintendent of Construction in October. Territorial authorities, on October 10, 1884, awarded two contractors, Daniel McDevitt and Noah J. McConnell, the contract to construct the central building. The contract entailed "furnishing all the material except the rubble stone and constructing to completion, in accordance with the plans and specifications, the central building of (the) Penitentiary for the sum of \$10,475."⁵⁵ McDevitt and McConnell fulfilled the contract within six months. The three-storied middle building, built of stone, was 35 by 50 feet and housed the sleeping quarters, warden's office and a visitor's reception room.

As Botkin had forewarned, the central building failed to satisfy the Prison's great need for additional cell blocks. A low-level Territorial official admonished that "the present capacity of the completed portion of the prison is entirely inadequate to the necessities of the Territory."⁵⁶ After seventeen years only two-thirds of the Penitentiary was finished--and that sorely fell short of Montana's needs.

Deficiencies in the Territorial Prison were marked by various attempts by convicts to escape the confines of incarceration. The May 18, 1883 riot was one example. On this day, approximately thirty inmates lounged in the prison yard as two guards, Hanschild and Root, supervised the prisoners' recreational period.



Figure 3: Original Territorial Penitentiary
Building constructed 1870-1885

Guard M. M. Lockwood stood watch at the cell house's only exit as one inmate named Thompson approached with his cell bucket. When Lockwood denied Thompson's request for permission to empty the fouled bucket, the prisoner jerked a pistol from his shirt and pressed it against the guard. Two other inmates, Dolan and Wells, joined the fracas, as Wells dragged Lockwood to the ground. Suddenly a blast from Guard Root's rifle shattered the door's window, ending the abortive escape attempt of 1883.⁵⁷

In the hope of permanently solving Montana's prison problem, on March 3, 1885, Congress passed the Sundry Civil Act. The bill appropriated \$25,000.00 "for the completion of the penitentiary for Montana Territory."⁵⁸ The Territorial government appointed

Robert S. Kelly, U.S. Marshall and resident of Deer Lodge, as the Superintendent of Construction. Kelly recommended immediate construction, "as the present structure is entirely inadequate to the necessities of the prison."⁵⁹ Noah J. McConnell and Daniel McDevitt were contracted to complete the prison wing. By spring of 1886 McConnell and McDevitt finished the south wing. This three-storied brick cell house contained a three-tier block of brick cells. The cells numbered forty-two, thus increasing the prison's capacity by eighty-four.

Montana Territorial Governor Samuel T. Hauser expressed confidence that the completion of the original plan would finally "put the building in such condition that all the prisoners can be safely kept."⁶⁰ But Hauser's assessment proved overly optimistic. Problems of overcrowding, discipline, and safety persisted. Indeed, by 1890 the actual survival and future of the prison remained clouded by doubts.

Deer Lodge Penitentiary and the Auburn System

During the early 1840s, at a prison in west central New York "a system of prison administration arose that . . . for (over) a century wielded an enormous and preponderate influence upon prisons and reformatories throughout the country."⁶¹ The silent system of the Auburn Prison in New York exerted a profound influence in penal theories and practices throughout the United States, including Montana. For over a hundred years the silent system represented the cornerstone of prison discipline.

Ideally, the silent system entailed the nightly solitary confinement of each inmate with a daily work routine among groups of prisoners. Prison officials rigidly enforced a doctrine of perpetual silence during all prison activities. Hard work and silence were the two inseparable ingredients of the Auburn system.

The Auburn system also influenced prison architecture. Prison authorities adopted an Auburn plan of cellular architecture, "in which the cells are enclosed within a great containing building, the cells being back to back, several tiers in height, and therefore designated as the 'inside cell' type of construction."⁶² The strict adherence to silence necessitated that each cell be designed for a single inmate.

By the late 1860s, as Federal officials planned and built the Montana Territorial Penitentiary, the Auburn system was hailed as the national model. For prison discipline and prisoner rehabilitation, Montana's Territorial Prison did not escape from this system's pervasive impact upon prison development. Yet the relative isolation and uniqueness of Montana's Prison altered and consequently weakened the all-encompassing Auburn system.

For example, the original architectural plans adhered to the Auburn plan of cell construction. But, as demonstrated, financial constraints radically reduced the original plans of the Federal architect. The modifications of A. H. Mitchell, though warranted by circumstance, violated a basic tenet of the Auburn system. The construction of just fourteen cells virtually guaranteed overcrowding making solitary confinement an unacceptable luxury. Inadequate facilities also strained the Prison's ability to enforce the silent system or to develop prisoner work programs. Despite the construction of additional cells, the middle building, and the south wing, overcrowding and poor facilities curtailed the strengthening of the Auburn system. Nevertheless, aspects of the silent system endured and resurfaced throughout the Penitentiary's history.

Conclusion

Completion of the south wing of the Deer Lodge Penitentiary in 1886 marked the beginning of the ninety year history of the facility. A philosophy had been formed and developed for treating chronic lawlessness in Montana Territory. Changes in the system were necessary, however, for the program to work effectively in the soon-to-be-created State of Montana. It was to the credit of one individual, Frank Conley, that during the next thirty years the penal institution at Deer Lodge served the law enforcement needs of the state's citizenry.

CHAPTER II

THE CONLEY ERA 1890-1921

The Advent of Frank Conley

On February 22, 1889, President Grover Cleveland signed into law the Omnibus Bill. This bill or enabling act permitted the Dakotas, Washington, and Montana to reach statehood if and when Territorial officials wrote a proper constitution. For six weeks delegates at the Constitutional Convention of 1889 hammered out a state constitution. By an overwhelming margin, 24,676 to 2,274, Montana voters ratified the document on October 1, 1889.¹ President Benjamin Harrison officially pronounced Montana the forty-first state on November 8, 1889. The termination of Federal control accompanied Montana's attainment of statehood and, consequently, the burden of operating the Prison fell on the shoulders of the new state government.

Montana law quickly created and then empowered a State Board of Prison Commissioners to manage the Prison's affairs and business. The governor, secretary of state, and attorney general constituted the member of the Board. Meanwhile the problems confronting the Prison Board approached critical proportions. Not only did the continued deterioration and regression of the Prison's structures jeopardize the institutions's very existence, but a depleted state treasury compounded an already desperate situation. The state lacked the financial means to properly operate the institution, let alone to renovate or modernize the Prison.

To resolve its dilemma, the Board of Prison Commissioners contracted out the entire Prison operation. The Board later reported that "in February, 1890, a contract for the keeping and maintaining of all State prisoners was entered into between the State and

Messrs. Conley and McTague at the rate of 70 cents per capita per diem for all over that number, which contract for a term of one year."² Apparently Thomas

"Archie" McTague supplied the financial backing, while an obscure prison guard, Frank Conley, contributed the administrative and managerial skills to the venture. With this inconspicuous beginning, Frank Conley began his thirty year reign at the Deer Lodge Penitentiary. Those thirty years proved critical to the Prison's survival, with Conley's impact lasting well beyond his years of power.



Figure 4: Colonel Thomas McTague

Frank Conley: Brief Biography

Frank Conley was born on February 28, 1864, the youngest of seven children, at Havre de Grace, Maryland. In 1880 he left Maryland for Miles City, Montana. For eighteen months he joined a surveying party at Yellowstone National Park. Upon returning to Miles City, Sheriff Tom Irvine appointed Conley deputy sheriff

of Miles City and Custer County. In 1886, Conley brought two convicted criminals to the Federal Penitentiary at Deer Lodge. Conley promptly resigned his position as deputy sheriff and secured a position as a guard at the Penitentiary. In 1889, Montana attained statehood and ownership of the Prison. One

year later Conley formed a partnership with Thomas "Archie"

McTague, and the Board of Prison Commissioners awarded them the prison contract.

From 1890 to 1908 the Prison Commissioners periodically renewed the contract with Conley and McTague. During these years, Conley in effect, served as the warden of the

prison. In 1909 another firm underbid Conley and McTague and secured this coveted contract. But the state owed Conley and McTague a substantial amount of money for construction costs and prisoner care, obligations which neither the state nor the new contractors could honor. Consequently, the state took control of



Figure 5: Frank Conley

the Prison and appointed Conley as warden, a position Conley held until relieved of his duties by Montana Governor Joseph Dixon in 1921. The residents of Deer Lodge demonstrated their affection and respect for Conley by electing him mayor three times. He served as mayor for thirty-one of the years between 1892 and 1929 and died in Butte after a month-long illness on March 5, 1939.³

Conley Assumes Control

In 1890, Conley inherited a prison plagued by overcrowding, dismal facilities, and official indifference. When Conley and McTague assumed control, 198 prisoners were incarcerated at the Prison. Within a month that number increased by forty-four. The ever-increasing prison population strained the Prison's capacity (140) to its limit. "At the time of our taking charge," Conley later reported, "we found that the surplus of prisoners were quartered in outbuildings in the prison yard, some in the old store house, ten in the carpenter shop and several more in the wash house."⁴ Conley condemned the deplorable physical state of the Prison and asserted that "this condition of affairs as well as the constantly increasing population, rendered it absolutely necessary that further cell accomodation be provided."⁵

The lack of a decent fence or wall further exacerbated the pressures exerted upon the Prison's fragile security. Only a twelve foot high board fence blocked a prisoner's escape. "It has only been by the constant exercise of care and vigilance both day and night," Conley maintained, "that escapes have been prevented."⁶ To alleviate these conditions, Conley authorized an extensive renovation of the fence and the erection of a log cell house which could accomodate sixty-eight inmates.

Despite these improvements, Conley realized the futility and impermanence of these stop-gap measures. Conley's

ambition and drive rendered it impossible for him to be caretaker of a decaying and dying institution. Consequently, he harnessed his enormous energies toward revitalizing the Deer Lodge Penitentiary. Conley envisioned a modern and self-sufficient prison and he relied upon three things which became instrumental in achieving that goal: prison construction, convict labor, and personal power.

Highlights of Prison Construction 1890-1921

Throughout the next thirty years, Frank Conley supervised an extensive upgrading and expansion of the Prison. To diffuse the problems of improper security, deplorable facilities, overcrowding, and prisoner idleness, the warden favored a massive construction program. Conley foresaw that, if the institution's unremitting deterioration went unabated, the Prison would decay beyond repair. Uncorrected, these crises posed an insidious threat to the institution's very existence.

In 1890, the contractors McTague and Conley recommended "immediate. . . additions and improvements" for the Prison.⁷ With urgency they proposed the immediate construction of a stone wall, cell house, and hospital. These plans required firm financial backing by the state government but, unfortunately, the Board of Prison Commissioners shared little of Conley's enthusiasm or zeal for the Deer Lodge Penitentiary.

During the early 1890s, the Board planned and eagerly anticipated the construction of the Eastern Montana Penitentiary at Billings. Fate intervened, however, dealing these plans a severe and ultimately fatal setback. A nationwide depression, heralded by the Panic of 1893, drained Montana's state treasury. "Owing to the financial depression," and "much to the disappointment of the Board," the Prison Commissioners reluctantly concluded that "it was impossible to take further action in the erection of the eastern state prison."⁸ Concurrently, circumstances forced

a reconsideration of the commitment to the Deer Lodge Penitentiary. The Commissioners faced the decision of either abandoning the Prison or modernizing it.

The Board of Prison Commissioners "decided that of necessity they were obliged to safely care for the prisoners in the Deer Lodge penitentiary," and therefore "agreed to make such improvements as would prevent the escape of the inmates there."⁹



Figure 6: Conley's prison guards 1899

According to the Commissioners, "the prison's most glaring need was a stone wall to take the place of the old board fence."¹⁰ Yet even this minimal need exceeded the state's financial resources, a dilemma astutely exploited by Frank Conley.

Circumstance dictated the adoption of emergency measures, and Conley reasoned that the Prison's survival rested upon the untapped manpower of the inmates. The desperate Commissioners supported Conley when they

reached a decision of monumental consequence. "Owing to the almost depleted treasury," the Board "thought (it) best to employ prison labor in the construction of this wall."¹¹ If this experiment failed, then time would severely test the Prison's ability to endure. The Commissioners appointed a Superintendent of Construction, James McCalman, and a foreman to supervise the convict labor. With these two exceptions, inexperienced prisoners, "ignorant even of the rudimentary principles of mason work,"¹² formed the entire construction crew.

Despite this liability, the once-wary Commissioners heralded the venture as an unqualified success. "The plan of employing convict labor in the construction of the wall," the Commissioners declared, "has succeeded admirably."¹³ Warden Conley, supported by the Board of Prison Commissioners, ignored organized labor and press opposition as he institutionalized convict labor. Ironically, convict labor remained an integral facet of Deer Lodge Prison until dealt a death blow by the Great Depression of the 1930s.

Thus freed from these prior financial and labor constraints, Conley drove toward his goal of a self-sufficient and modern prison. In 1896, the construction of a cell house (128 cells; 256 capacity) alleviated the Prison's perpetual overcrowding.¹⁴ In 1899, an anonymous newsman marvelled over Conley's remarkable achievements in a few short years:

Until within the last five or six years, the state prison consisted of a few log buildings of various sizes and one small stone structure, all surrounded by a high board fence. The present prison building ranks among the finest in the United States.¹⁵

The newsman maintained "that the Montana State penitentiary, in its care for and management of its prisoners is a unique institution and might well be taken as a model by many institutions of like character in older states."¹⁶ Thus, within the short

span of a decade, Frank Conley transformed a dying institution to one worthy of imitation.

From this impressive beginning and foundation, Conley pressed on. With the construction of the 1912 cell house (200 cells; 400 capacity), the Deer Lodge Penitentiary truly reached maturity. From 1908 to 1916 a women's quarters, power plant, kitchen, dining room, cold storage plant, and the trusty bunkhouse were constructed. In 1912, construction crews also extended the Prison's stone wall.¹⁷ Conley's career reached its zenith in 1919 with the building of the prison theater.¹⁸ Frank Conley had achieved the goal he set in 1890.

Convict Labor

The construction of the prison wall in 1893 demonstrated the numerous advantages of employing convict labor. The employment of prison inmates reduced costs, strengthened prison discipline, and improved the prisoners' morale. Despite opposition from organized labor, neither the Board of Prison Commissioners nor Frank Conley favored discontinuing the convict labor.

"If we may judge from our experiences during the past two years (1893-1895)," the Commissioners asserted, "the State will need to expend no more money for construction in the prison."¹⁹ The Board reaffirmed that "the facts demonstrated that constructive work in the prison can be thoroughly well done by convicts, with marked economy and consequent advantage to the State."²⁰ This appeal to self-interest received a favorable response from tax-burdened citizens and weakened the opposition's arguments against convict labor. Conley recognized that the additional benefits derived from employing convicts transcended the state's legitimate concern for fiscal responsibility.

Not only did convict labor ease the Penitentiary's construction and financial woes, it also dramatically altered the everyday life of the prisoners.

The utilization of convict labor moderated the tensions exacerbated by overcrowding and prisoner idleness. Prior to 1893, most prisoners faced the distasteful choice of occupying "their time making bridles, bedspreads, chains, (and) canes" or confronting day after

public relations value of these projects added immeasurably to the prestige of both Frank Conley and the Deer Lodge Penitentiary. Conley tempered this pragmatic use of convict labor with a genuine concern for the prisoners' well-being. During Conley's tenure, convict labor and prisoner rehabilitation became synonymous. In 1914, Conley wrote that:

The correct theory of a penal institution is not founded on the relation of a vindictive master and suffering slave, but on the relation of teacher and pupil, of nurse and ward, of parent and child. In order that reformation may find foothold, a prisoner must not lose his identity. He must be encouraged to think along elevating lines and to direct his mind in channels which lead toward higher and better things. He must be allowed to still hold or gain back his self respect.²²

Conley, quite consistent with his time, ardently upheld that meaningful work and a worthy profession were the chief attributes necessary for self-respect. Of course, this system of benevolent paternalism

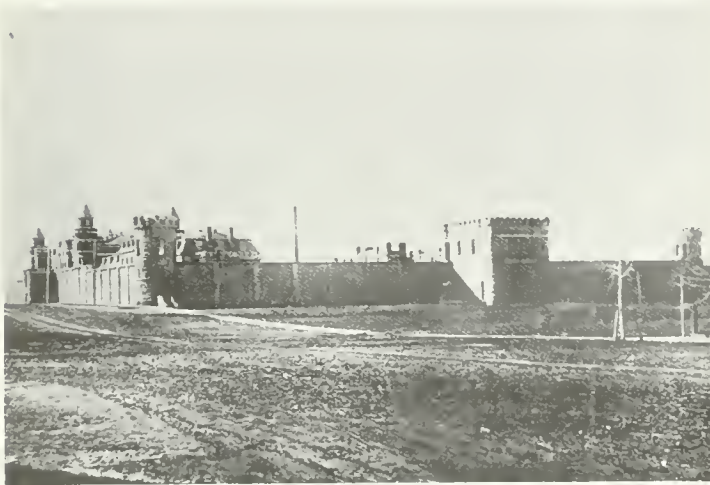


Figure 7: Main entrance Montana State Prison, ca. 1900

day of empty hours.²¹ But the construction of the 1893 wall embodied a breakthrough for the inmates as well as the Penitentiary as a whole.

Once convict labor was accepted as a legitimate practice, Warden Conley tapped its potential uses. Primarily, convict labor remained an integral part of the construction of a modern prison. During Conley's tenure the prisoners erected all the prison buildings and construction crews were dispatched throughout the state. These crews constructed state institutional buildings and built about 500 miles of roads and highways in many parts of Montana. The



Figure 8: View of west side of Prison, ca. 1900

could regress at times to mere pettiness, tyranny, and vindictiveness. Sometimes it did, especially during World War I. Nevertheless, in an institution which sorely lacked industrial or education training facilities, convict labor remained the only alternative by which the inmates could learn a skill.

Conley assumed that labor, even if limited to road work, construction, and making bricks, would restore to the inmates a measure of self-esteem. Though one should not overly idealize the Warden's commitment to prison rehabilitation nor the backbreaking physical work by inmates, convict labor did benefit some of the inmates.

In 1893, during the construction of the prison wall, the Prison Commissioners, prompted by Conley, adopted a system known as good time. This entailed a reduction of each laborer's sentence. "Accordingly, this plan was adopted (so). . .the men having worked diligently and faithfully. . .(could) acquire a diminution of their sentence of one month."²³ Those "busily engaged since the commencement of the work" received a reduction of six to eight weeks. Eventually this practice evolved into the honor system.

By the late 1890s approximately one-third of the prisoners worked outside the prison at special camps. Each of these prison camps housed roughly 75 prisoners and three unarmed guards. At these camps the prisoners enjoyed a relatively high degree of freedom with neither chains nor cells restricting them. The only means of punishment "for an unruly prisoner. . . (was an) immediate return to the (prison) walls."²⁴ For example, Conley "had to return (an inmate, William Dooley). . .to the inside of the walls, owing to the fact that he was lazy and an agitator," symptoms which were "certainly the earmarks of an I.W.W. (International Workers of the World)."²⁵

The prisoners lived in small tents and shared a large tent for dining. Each camp provided recreational



Figure 9: Wall construction 1893

programs (sports, musical instruments) and sanitation facilities. Within reasonable limits, convict laborers enjoyed a greater degree of freedom than the incarcerated inmates, a marked contrast to the practices of the Auburn system. "The inside prisoners . . .(were) anxious. . .to have the privilege of working in the camps. There are, however," Conley continued, "certain conditions which must be fulfilled before men are eligible for outside work."²⁶ Each inmate had to serve part of his sentence within the prison walls with good behavior characterizing his stay. Conley had only praise for the honor system:

Too much cannot be said in favor of the prison camps and the honor system. The work done by the men in the way of road construction is itself of inestimable value

to the state and counties; and greater still are the benefits derived by the prisoners. The outside work, the absence of physical restraint, and the trust and confidence instill in each man a sense of pride, both for himself and for his work. He values his advantages and his privileges. He does not brood and ponder over his sufferings and wrongs, his failures and disappointments. He awakens to a new appreciation of life and determines to make a better future.²⁷

On March 6, 1909, the State Legislative Assembly granted to the Prison the legal authorization to employ convict labor if it did not interfere with organized labor.

The use of convict labor served as a safety valve. For example, in 1911 the Penitentiary had "under its charge and control by virtue of legal commitments. . . approximately six hundred and fifty prisoners."²⁸ Yet, the Prison had "cell room accommodations for but four hundred seventy-four (474) prisoners."²⁹ To ease the strain of overcrowding, Conley established prison road camps throughout Montana. In 1910 Conley wrote to a charitable institution that:

We are working one-hundred fifty convicts on the roads; one hundred in the brick yard, and about one-hundred around the prison working in the kitchens, bakery shop, tailor shop, laundry and such work The balance. . . are idle.³⁰

The construction of the new cell house in 1912 enlarged the Prison's capacity and seemed to lessen the Prison's dependence upon convict labor. Actually, during 1913 and 1914, the Prison's average population of 611 far exceeded its capacity of 410. "At the



Figure 10: Convict road crew

present (1913) writing," Conley noted, "our total population is 604, 250 of which are on their honor, outside the walls and sleeping in tents."³¹ The lack of suitable industrial training shops within the prison walls also increased the need for outside prison labor camps. Though the 1912-1913 construction program eased the Prison's incessant overcrowding somewhat, it neglected the growing crisis of prisoner idleness. Consequently, in respect to prisoner rehabilitation and training, Conley's reliance on road camps and construction crews grew.

"There is at the present time," Conley reported in 1916, "about fifty percent of the inmates working outside of the penitentiary, building roads and bridges in widely separated counties of our state, and erecting public buildings at various state institutions."³² These prison crews specialized in building roads "along water

courses,. . .the sides of hills and across ravines."³³ Road crews worked on MacDonald Pass and Bozeman Hill in 1912. According to Conley, the Prison's "years of experience in road building" enabled the prisoners "to build permanent and substantial roadbeds with a solid base and well-cambered and drained surfaces."³⁴ Hard-pressed counties beseeched the Warden to allow prison crews to improve their roads. In 1913 and 1914 alone, these crews constructed roads in the following counties: Flathead (34 miles), Sanders (25), Powell (25), Park (15), Granite (15), Missoula (5), and Gallatin (5). That year the Board of Prison Commissioners placed Cascade, Ravalli, Valley, Beaverhead, and Jefferson Counties on a waiting list.

The counties paid for the necessary equipment and for the maintenance of prisoners above 50 cents per day per capita. Warden Conley constantly publicized the "excellent quality" of the road work by praising how it upgraded Montana's transportation system. Yet he genuinely believed that the road camps served the prisoners' interests more than the state's:



Figure 11: Convict road crew at Flathead Lake 1913

The direct effect of outdoor life, regular habits and employment upon prisoners cannot be too lightly estimated. Here in the freedom of the mountains the petty criminal develops brain and brawn. He does not come under the masterful, harsh eyes of a guard, or shrink under the lash of an overseer. He appreciates kindly. . . human treatment; he works willingly and with the necessary punch and vim that accomplishes beneficial results every day. From the brow of the burgler and the bank robber, drops the sweat of honest toil. They get time to reflect upon the futility of their past life; their muscles are developed by steady labor,. . . The horse thief and the cattle rustler wield the pick, the axe and the shovel as though they were to the manor born.³⁵

Conley often ridiculed modern theories of prison reform. He attended an American Prison Association meeting in 1916, "where long haired men and short haired women sought to reform prisoners by prayer. I have been in this game thirty years," Conley noted, "but (I) have never tried reforming men by prayer."³⁶ Only work would rehabilitate the criminal. Or, in the words of Conley's successor, M. W. Potter, "penal servitude may possibly be a penalty for crime but labor is the panacea of all human beings."³⁷

From 1910 until 1920, prison construction crews traveled throughout Montana to erect numerous state buildings. In 1911, the Commissioners authorized the construction of a brick kiln at Deer Lodge. The prison crews used the brick to construct numerous buildings at the Prison and at other state facilities: the women's dormitory, store building, laundry, dining room, and inmates' dormitory at the Montana



Figure 12: *Hospital at Warm Springs.
Built by prison labor 1919*

State Hospital in Warm Springs; the women's and the men's dormitory at the Institution for the Insane in Warm Springs; and the sleeping pavilion, power house, kitchen, and dairy barn of the State Tuberculosis Sanitarium in Galen. In one instance, a prison construction crew saved the state approximately \$200,000. In 1920 unskilled prison labor built the hospital and the administration building in Warm Springs. James McCalman, the Prison's Superintendent of Construction, supervised the prisoners. "The finished structure," Conley proclaimed, "speaks volumes for the painstaking care with which Mr. McCalman supervised the work."³⁸ He added that "it was a remarkable showing of what can be accomplished with men when they are properly encouraged."³⁹

While Frank Conley hoped road work would prompt soul-searching among inmates, he believed construction work would teach prisoners valuable skills. For these construction crews Conley selected either experienced inmates willing to refine their skills, or men eager to learn a viable trade. "Year after year," Conley recalled, "these young men write back to prison

officials to tell them that the knowledge acquired in prison has enabled them to make it in the outside world."⁴⁰

In short, Conley's advocacy of convict labor represented a shrewd linking of pragmatic self-interest with the desire to brighten the future of each prisoner. During the early 1890s, the Warden had employed convict labor for only one purpose: to build a modern and self-sufficient prison at Deer Lodge. By 1914, Conley declared confidently that he had achieved that goal:

As late as 1893 the penal institutions of the state consisted of a group of log cabins with board floors and one small stone building, the whole surrounded by a board fence. . . .

Replacing that unpretentious institution of twenty-one years ago we (now) have a modern prison unsurpassed in its arrangements for the well-being of its inmates.⁴¹

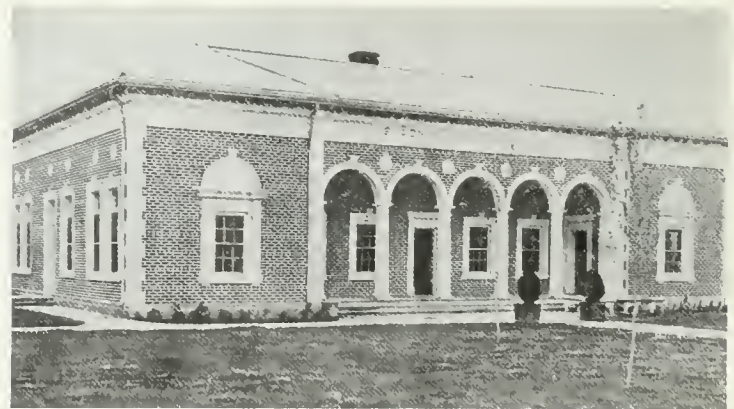


Figure 13: *Administration building at Warm Springs.
Built by prison labor 1919*

In addition, a remarkable evolution in the rationale for employing convict labor occurred during those 21 years. In 1893, Conley utilized convict labor solely as the least expensive way to construct the prison wall, the success of which prompted him to employ inmates during future prison construction



Figure 14: Deputy Warden John Robinson

projects. He later established outside road camps and construction crews to alleviate overcrowding and to save the state substantial amounts of money. By the turn of the century, convict labor had proved its worth as a method of prisoner rehabilitation. Unfortunately, Conley and the Board of Prison Commissioners leaned too heavily upon this form of prisoner employment, failing to develop indus-

tries within the prison walls. This policy of an almost exclusive reliance on outside convict labor for construction projects created severe problems for Frank Conley's successors. When the public and the state would no longer tolerate an extensive use of outside

prison labor, the problems of adjustment proved formidable.

Prison Highlights: 1908 Prison Break

Frank Conley ruled over his domain with an iron hand. To facilitate this task, he adjudicated over what was known as the Warden's Court. Conley recalled that the Warden's Court was "held every morning" at which time "any prisoner (could) . . . appear to state his grievance, to secure advice, or (to receive) . . . a personal interview with the warden."⁴² Conley also granted inmates accused or suspected of prison violations a hearing at this time. The Court's judgments were final. "All disputes and misunderstandings," Conley asserted, "are settled in this court."⁴³



Figure 15: Inmate George Rock

On Sunday morning, March 8, 1908, four convicts resorted to violence rather than await the proceedings of the Warden's Court.⁴⁴ Two convicts, George Rock, a convicted murderer, and William Hayes, a horse-thief, masterminded the attempted escape. Oram Stevens and C. B. Young played minor roles. Hayes, a



Figure 16: Inmate William Hayes

convict employee, or trustee, had secured a pocket-knife from a guard. At 8:15 a.m., Deputy Warden John Robinson escorted the four inmates across the prison yard for their session at the Warden's Court. Rock and Stevens cornered Robinson in the waiting, or music, room and proceeded to beat him with horse bridles which were lined with iron bolts.

Hayes then bolted into Conley's office and demanded, "If you do not let us out of

here, I will cut your damned head off."⁴⁵ Conley, reacting instinctively, drew his sawed-off .41 caliber pistol and shot Hayes behind the ear, apparently knocking the inmate unconscious. Then Rock bolted into the office, shielded by Deputy Warden Robinson. The

Warden proceeded to shoot Rock with two bullets through each lung.

Conley confidently presupposed that "they (Rock and Hayes) were done for."⁴⁶ "Imagine my surprise," Conley later wrote, "when they both attacked me with a



Figure 17: Execution of George Rock

knife, killing my Deputy and cutting me to pieces."⁴⁷ Hayes stabbed Conley in the neck and back: the Warden required 103 stitches, with one stab wound penetrating within 1/8 inch of his jugular vein. Once again Conley wounded Hayes. Meanwhile, Rock cut Robinson's throat with the pocketknife. Until rescued by the prison guards, Conley held off Rock by beating him with a chair. Conley then fainted as Robinson suffered a slow and agonizing death.

On April 22, 1908, Rock pleaded guilty and was sentenced to death. On June 16, at 1:30 p.m., George Rock died of strangulation by hanging.

Later that year, a jury found Hayes guilty of complicity in the murder of John Robinson and, on April 2, 1909, Hayes suffered a death similar to that of George Rock.

Despite his close brush with death, Frank Conley retained his faith in the innate goodness of most of the inmates. Conley continued to hold the Warden's Court and to employ convicts as trustees.

Prison Highlights: World War I

When Woodrow Wilson delivered America's declaration of war against Germany on April 6, 1916, he unleashed emotions of profound enormity and strength. As America mobilized for war, conflicting emotions of patriotism, xenophobia, and anti-war fervor swept across the country. Montana was not exempt from this national turmoil. In fact, Montana weathered these forces in their most extreme form.

With respect to enlistment rates and draft quotas, Montana's contribution of 40,000 soldiers to the war effort surpassed all the other states. This total numbered approximately ten percent of Montana's entire population. Montana became the nation's polestar in its outward expression of patriotism and consequently in anti-German sentiment, which at times approached hysteria. Throughout Montana, immigrant homesteaders (German, Scandinavian), laborers (Irish), and protestors vehemently denounced the war effort. As the war progressed and American casualties rose, tensions almost erupted into a domestic civil war. Newspapers, liberty committees, the Montana Council of Defense, and the Federal government indiscriminately hounded and, at time, terrorized Germans, I.W.W. (Wobblies), and mildly skeptical citizens alike. The legislature's enactment of the Montana Sedition Law climaxed this movement. "In effect," two prominent Montana historians contend, this law "seemed to make it illegal to criticize the federal government, the armed forces, or even the state government in war-time."⁴⁸ The infamous Federal Sedition Law of May, 1918, modeled itself after the Montana law.

Frank Conley, being both an ardent patriot and sup-

porter of the war, fell sway to this wartime atmosphere. During the war years, the state imprisoned many Germans, war opponents, and I.W.W.s at Deer Lodge.

Concurrently, patriotic citizens pressured Conley to prepare suitable prisoners for armed service. Mrs. Booth, a member of the local Salvation Army, espoused "the employment of selected convicts as soldiers."⁴⁹ Then, "if convicts are called," Mrs. Booth noted, "Warden Frank Conley. . .will have a well-trained miniature army to turn over to Uncle Sam."⁵⁰ By August, 1918, the prisoners had been "drilling steadily for the past six months until they have attained perfection in the setting up exercises and the manual of arms and the maneuvers on the field."⁵¹ "The boys," Conley proudly declared, "are spoiling for a fight."⁵² Conley added that:

They are ready for the intensive training preliminary to trench warfare and believe me, if they are given the chance--and I hope they will be--they will make any company of Huns goose-step at a rate that would dislocate every German joint.⁵³

According to one news reporter, the prisoner units were "a hard boiled crew so far as the ability to fight is concerned, but well disciplined and fired with zeal for America's cause."⁵⁴ The Warden offered the services of 400 men, but Conley's commandos never saw active duty. By November, 1918, he conceded failure. "I have been unsuccessful in accomplishing anything in this line and as matters stand," Conley bemoaned, "it looks as tho' the war is over and further efforts. . .would be unnecessary."⁵⁵ Though disappointed, Conley remained ever vigilant on the home front.

On July 19, 1918, the POWELL COUNTY POST reported that "nine of the pro-Germans, who can't see anything worth while in Uncle Sam's scheme of government, will try



Figure 18: Military training during World War I

Frank Conley's system from one year to twelve years."⁵⁶ According to the newspaper account, three were I.W.W. members, while "the others (were) plain Kaiser lovers."⁵⁷ The crimes ranged from Charles Hohrman's (German laborer) propensity for "boosting the Huns," and William McKee's "strong German" sympathies, to Martin Wheringer (Austrian, 32 years residency in Montana) not knowing that "this state is a better place than Austria."⁵⁸ Herman Rohde (74 years old) received a prison sentence because "he is for the old Kaiser."⁵⁹

Though Conley played no role in the arrest or conviction of war opponents, he was not averse to stretching the law to their detriment. On November 25, 1918, Conley wrote this to William McKee's wife:

You say your husband is not guilty.

The records show that he was tried by a Judge and a jury of twelve men. There certainly must be some reason or these men would not have been unanimous in their decision. In some cases it is possible to obtain a parole after serving half of the minimum sentence, but in the case of Seditiousists it is different. If this country is not good enough to make a man loyal, he is certainly not entitled to its freedom. A man guilty of sedition will receive no favors from me. Your husband will have to do at least half his maximum sentence.⁶⁰

The case of Thomas Thompson further illustrates how the war affected prison policy. On December 17, 1917,



Figure 19: Frank Conley supporting the war effort

Deer Lodge Penitentiary received Thompson from Wheatland County on a forgery charge. The court sentenced him for one to two years. He was paroled on October 8, 1918. "After his release," Conley recalled, "I learned of his very strong pro-German views and utterances. Had I learned of it before . . . you may be sure that he would have served every minute of his time."⁶¹ Conley also refused to consider Fritz Lang, convicted "for seditious talk," for parole. "There are a lot of Germans on the outside who ought to be in," Conley complained, "and when we get one in, we are going to keep him."⁶² In a rather humorous letter, Conley offered this advice to a former inmate seeking employment:

(I) will say that the employment agency sent a letter here making inquiry concerning you shortly after you were released, and I told them your birth place was Germany, and if I were hiring men for the mines I would not hire any Germans. The best thing you can do is to go on a farm and don't talk Dutch. But--if you insist on talking Dutch, the best thing you could do would be to go back to Germany.⁶³

Conley regarded members of the I.W.W. as equally traitorous and treated them as such until well after the war.

A most interesting incident during the war involved the Office of the Siberian War Mission in New York. Shortly after the outbreak of war, the prison received a circular from the Siberian War Mission. The Mission requested the release of any Siberian inmates for the purpose of joining the Siberian Army. On December 3, 1917, two inmates, Djure Perov Jovichovich and Mile Vidakov Kaludjerovich, were released for that purpose.⁶⁴ But apparently Jovichovich and Kaludjerovich either escaped or deserted to Canada. Consequently, the Prison refused

to participate any further in Siberia's effort to recruit an army.

Aspects of Prison Life

Although Frank Conley concentrated his energies on prison construction and outside convict labor, he adopted measures to improve life within the prison walls as well. In 1918, the Board of Trustees of State Institutions from Concord, New Hampshire, sent Conley a questionnaire on the Montana Prison's dining practices. With respect to the conversation permitted during meals, Conley asserted that there was "none whatever at meals."⁶⁵ But, he continued, "they (inmates) are allowed to talk with their cell mates, and can talk at work."⁶⁶ These remarks indicate that Conley practiced a less than rigid adherence to the Auburn system.

Rather, the granting of privileges, accompanied by an explicit threat of their withdrawal, served as the basis of prison discipline. Conley believed that "penitentiary life is a severe punishment and that a large percentage of men will quickly show their appreciation of kindness by being far more tractable than if they were not accorded any privileges."⁶⁷ The promise of outside road or construction work promoted good behavior both within and outside the prison walls. But sometimes even the best intentions went astray. In 1918, Conley placed Oscar Johnson outside the walls as a mail carrier. Not so discreetly, Johnson

. . . sent a white woman a note and tried to make a date with her and if he had been successful in getting her to keep the appointment, I (Conley) feel sure I would have had a rape case on my hands.⁶⁸

Conley returned Johnson to the inside.

For those less tractable prisoners "the punishment" Conley found "most effective (was). . .as follows:"

The first report, take away two picture shows; second report, cut off hair; third report, thirty days writing privileges; fourth report, dungeon on bread and water from four to thirty days.⁶⁹

Conley personally dispensed these punishments, usually at the Warden's Court.

Very seldom did even the minutest detail escape Frank Conley's omniscient eye. He screened the prisoners' mail, often gave unsolicited advice regarding their personal lives, and, in general, monitored each prisoner's behavior. For example, in 1913 Conley nipped a budding love affair. Apparently, a lady from Nebraska, Mrs. Etta Walker, sent some love letters to an inmate, Louis Cundiff. Conley intercepted the concealed letter and sternly lectured Mrs. Walker:

My advice to you is to stick to your husband, and take care of your children. Any letter you may send to him hereafter will be returned to your husband, as I infer from your letter that you have been married for twelve years, and you ought to have some sense by this time. In several cases where I have seen women get infatuated with prisoners none of them turned out good. . . .

Hoping that you may see this in the right light and stick to your husband, I am, Frank Conley.⁷⁰

Though Conley broke the hearts of these two lovers, at times his personal interest benefited the inmates. For example, an inmate serving a year's sentence, Frank Kelly, was wanted in Portland, Oregon, for larceny. "But I have always made it a rule to help

these fellows out if I can by not turning them over unless I have to," or, Conley wrote, "in other words, I do not notify any one until their time is up."⁷¹ In 1916, the J. Oswald Jones Detective Agency in St. Paul, Minnesota, inquired about an inmate. But this request only ignited Conley's protective wrath: "I don't wish to help any cheap Detective Agency. . . (that) catch(es) some poor devil who has made a mistake and is trying to help himself."⁷² Conley feigned ignorance about the party and bluntly informed the detective, "you would not get any information" even if he did know anything.⁷³

While Conley displayed an interest in the prisoners' personal lives, he also made prison life more amenable. By 1899, he had established the prison brass band. Composed of prison inmates, it rehearsed daily, performing concerts for the inmates, the public, and giving sacred concerts for weekly religious services. Initially, some questioned the prisoners' musical talents and expressed open doubt regarding their ability to form a respectable band. Yet, within a few years, the Deer Lodge Prison Band deserved their well-earned reputation as an acceptable brass band. Conley extravagantly praised the prison band as "one of the finest musical organizations in the state."⁷⁴ Indeed, frequently many former band members successfully pursued musical careers after their release from prison.

Apparently, the prison's valuable assortment of musical instruments and the musical library were donated by William Andrews Clark. Clark also created a trust fund of twenty-five thousand dollars (\$25,000.00) for the maintenance of a prison band, for musical instruction, and necessary musical equipment."⁷⁵ The interest-bearing period on the trust fund commenced on July 1, 1928. Though the 24 to 30 piece band added pleasantly to the dreary life inside prison walls, it affected only a handful of inmates.

Frank Conley and the Board of Prison Commissioners

also established an educational school in 1895. The disciplines taught included English grammar, book-keeping, penmanship, typewriting, telegraphy, and photography. The ranks of the inmates supplied both the students and instructors. A contemporary newspaper account (1899) described the school accordingly:



Figure 20: Prison band playing in yard

It is rather unusual to see within prison walls hundreds of men of all ages and nationalities patiently mastering the various branches, from reading and spelling up to higher mathematics, to hear the click of typewriters and the hum of recitation classes, interspersed with lessons in music, vocal and instrumental but this is what may be seen and heard in the state penitentiary.⁷⁶

Thus by 1899, the two mainstays of prison life, the

prison band and the school, were established. With the exception of improved living quarters, 20 years passed before any other substantial improvements in prison life occurred.

Yet, this rather idyllic account of an educational school buzzing with harmonious and hardworking inmates misrepresents and exaggerates the significance of the prison school. Neither Frank Conley nor the Commissioners ever committed their energy or the state's resources to the Prison's educational facilities. By 1916 the school serviced approximately 40 students, and most of these inmate students were foreigners unable to read or write. Hence, the school addressed only the minimal needs of a few prisoners.

The prison library, with its several thousand volumes, allowed some prisoners to pursue more advanced work. The majority of the books were fiction, though a few scientific and technical books were readily available. William A. Clark also donated many books to the library. Prisoners ran the library for the benefit of both the inmates and the prison guards.

As expected, Conley carefully perused the library's offerings:

As to the selection of the books we purchase I will say that I have been doing this myself and expect to continue along this line indefinitely. I might add that miscellaneous fiction comprises the most popular, therefore the most desirable reading matter for a prison. Socialist literature or any kind carrying a tinge of anarchism is absolutely prohibited. No discrimination whatever in the selection of religious books or books pertaining to any specific cult. . . for a prisoner may study along these lines to his heart's content.⁷⁷

Occasionally an unacceptable book eluded Conley's penetrating eye. Apparently an innocently titled book, the ARABIAN NIGHTS, contained lewd and obscene pictures. The librarian discovered this oversight, no doubt alerted by the book's sudden popularity. "When I looked at one volume that was enough for me and if some long-haired preacher or short-haired woman reformer came along," Conley feared, "I would have a lot of explaining to do."⁷⁸ Conley confessed to the Edward T. Kelly Publishing Company that "your book-agent slipped one over on me" as he returned the volume for a more acceptable replacement.⁷⁹

The carpenter shop, shoe factory, and other shops provided a limited opportunity to inmates to learn a technical skill or trade. In short, the educational and vocational training within the prison walls was found wanting. As noted, the equating of convict labor with prisoner rehabilitation at times worked to the detriment of the Prison as a whole. The almost exclusive reliance upon outside prison labor (road work) merely postponed the inevitable decision to upgrade the Prison's facilities. But the cost benefits, the impressive road work, the building construction by convict labor blinded Conley and the Prison Commissioners to the prison's inherent institutional flaws.

During Conley's tenure these defects were undetected; and for good reason. In 1919 the construction of the prison theater marked the climax of Conley's dream to modernize the Deer Lodge Penitentiary. The theater was the first building devoted to the recreational and entertainment needs of the inmates. At the theater the prisoners enjoyed frequent movie showings, professional plays performed by touring troupes, prison band concerts, and weekly religious services. "I find," Conley reported, "that these shows have an excellent effect in maintaining the discipline of the institution."⁸⁰ Conley continued that "one of the penalties for an infraction of the rules is a loss of show privileges, and this the men are so anxious to

avoid that the general behavior is greatly improved."⁸¹ But with the demise of convict labor in the late 1920s and early 1930s, the Montana prison system's flaws became evident.

The Reign of Frank Conley 1890-1921: An Evaluation

In 1920, the election of an energetic, progressive, and young reformer as governor of Montana sounded the death knell for Frank Conley. A man of Joseph Dixon's principles, prejudices, and temperament found an official association with Conley to be distasteful and immoral. By mid-April, 1921, on charges of misuse of state funds, Dixon relieved Conley of his duties as warden. For Conley, 30 years of public service came to an inglorious and bitter end. "I wanted to resign a long time ago," Conley wrote, "but I waited for the bolshevik Governor to put the can on me and he did it fine, but my date will come sometime." Conley's dismissal and subsequent trial for mismanagement of prison funds sparked a political controversy which contributed to Dixon's defeat in 1922. Despite Conley's acquittal, charges of corruption, abuse of power, and personal aggrandizement have clouded his reputation and accomplishments. But even years of extensive research and reflection may never unravel the historical mystery of Conley's guilt or innocence. Fortunately, Conley's 30 year reign as warden welcomes evaluation.

First and foremost, the actual existence of the old Deer Lodge Penitentiary can be attributed to Conley's efforts as warden. With only two exceptions, the inside administration building (1931-32) and the hospital-shop complex (1935), all the existing prison structures were constructed during Conley's reign. Indeed, Frank Conley's commitment to construction and innovations gave new life to a dormant institution. Conley introduced the practices of convict labor, road camps, and the honor system to the Deer Lodge Prison. Together with his building program, these innovations

were instrumental in helping to alleviate the problems which confronted Conley in 1890. The problems of overcrowding and idleness were alleviated though never overcome. Conley upgraded the deplorable condition of the Prison and convict labor enabled the state to fund the necessary construction.

With the massive construction effort of 1912, the Deer Lodge Prison truly came of age. In its day, the Prison enjoyed wide acclaim as a model institution. It had taken 22 years to accomplish, during which time Frank Conley and the Penitentiary had become one and the same.

Warden Conley ensured the continued growth and survival of the Deer Lodge Prison, but left behind a serious problem. The state's reluctance to fund industrial facilities at the Prison, combined with Conley's heavy reliance on outside road camps and convict labor, provided fertile ground for future problems. The practice of employing inmates outside the prison walls merely postponed action on the problems of overcrowding and idleness inside the Prison. The Great Depression severely restricted the use of convict labor, which would present Frank Conley's successors with their greatest challenge.

CHAPTER III

THE AFTERMATH OF THE CONLEY ERA 1921-1935

Transition

On the evening of April 17, 1921, an era in prison administration passed at the Deer Lodge Penitentiary as M. W. Potter "entered upon the performance of (his) . . . duties as warden."¹ Frank Conley's immediate successors, Potter, J. W. Cole, and Austin Middleton, accepted Conley's program of convict labor. These wardens relied upon road camps, construction crews, and prisoner trustees for needed projects and for prisoner rehabilitation.

Despite some weaknesses, Conley bequeathed a solid basis for prison management to his successors. The Penitentiary's growth rested, in large part, on the actions and programs of future wardens and state officials. Conley's achievements neither guaranteed continued prosperity nor precluded the introduction of new policies.

Warden Potter immediately recognized the Prison's shortcomings regarding its vocational opportunities and training for the inmates:

Men come to me and beg for employment. We haven't work for all inside the walls but they are given a chance when their turn comes. . . . To deprive them of this important factor of prison life is to transform them into hot beds of vice of the lowest type and make a clearing house for the insane asylum, with the destruction of body, mind, and morals.²

Thirty years passed before the citizens and state officials of Montana acknowledged this basic truth.

Under Potter's authority, prison work crews engaged in a variety of tasks during the 1920s. Some re-roofed the Prison's buildings, lookouts, and towers, and renovated the power house. Other prisoners either constructed the new ice and hog houses or worked at the Prison's brickyard or sawmill. The Prison shipped the brick to the state institutions at Warm Springs, Galen, and the Girls' Vocational School in Helena. The Prison also received a state contract to cut one million feet of lumber. Approximately 60 men were engaged in road work. Some inmates finished the Ranch Superintendent's residence on the State Highway Ranch. According to Potter, "we farmed extensively during the past season on rented property; the state owning no farm land. We raised excellent crops of potatoes, cabbage, and all kinds of vegetables consumed at prison as well as hay and grain for our livestock."³ Potter also established a paint shop for state-owned vehicles. Yet Potter recognized the shortcomings of the Prison's industries.

In 1921, "after visiting several industrial prisons," Potter "became convinced that these prisons were fifty years ahead of Montana's institutions."⁴ Potter ventured "to say that within a few years most of our prisons will be converted into educational and industrial institutions."⁵ The Warden recommended that the governor appoint a committee of practical businessmen "to investigate the importance and feasibility of prison industries."⁶ Potter considered the "active productive employment of our prisoner inmates" vital. "I believe," Potter reaffirmed, "it is absolutely necessary to the reformative principles of our penal laws."⁸ After three years of frustration, Potter resigned.

J. W. Cole, Potter's replacement, achieved few, if any, further reformations. "There is a great need of improvement in the matter of education of the prisoners," Cole bemoaned, "as there is not now nor has there been in the past any definite policy regarding this phase of prison management,"⁹ a defect Cole expected "to remedy in the near future."¹⁰ Cole's analysis of the Prison's

industries merely echoed Potter's earlier complaint:

About forty per cent of our population is employed on ranches and at road camp and in wood camps. This leaves sixty per cent unemployed. I wish to urge the necessity of providing employment for this sixty per cent. We should have some prison manufacturies where these men would be compelled to work. A great many of the prisons in other states are self supporting, or nearly so. They are able to accomplish this from the sale of the articles manufactured. If other states can do this, I cannot see why we should delay making a start to remedy this condition at our prison, and thus help to relieve the overburdened taxpayer.¹¹

Within the year Cole resigned.

In 1926, Governor J. E. Erickson depicted a dismal picture of prison employment: "While prisoners may be sentenced to 'hard labor' for a definite term, very few of them are put to work. Some," Erickson noted

are employed on the farms in connection with the prison, where grain, hay and vegetables for the institution are grown, and at times a few are employed on road work in the counties. . . . Relatively the number so employed is very small. There have been attempts to establish industries at the prison, where all of the able-bodied men might be put to work--binder twine factory, etc.--but these have failed.¹²

In 1926, the newly appointed warden, Austin B.

Middleton, also favored the development of the Prison's industries: "I would earnest recommend the making of license plates, pants, overalls and shirts for our own use and for the use of other institutions."¹³ The Montana Legislative Assembly passed two appropriations bills in 1927 for that purpose. The legislature authorized \$25,000.00 for the license plate factory and \$15,000.00 for the garment factory.¹⁴ Middleton stripped the original Federal Penitentiary building of its cells. The north wing housed the garment factory, while the auto license plate factory was installed in the south wing. This first genuine effort to develop the Prison's industrial capabilities increased the prisoner work force by approximately 50 inmates. Middleton envisioned the two prison industries operating at a profit. "But," Middleton declared, "even though we don't show a profit and can merely break even, it is a fine thing for men to be employed instead of being idle and to have the opportunity to learn a trade."¹⁵ Thus, the installation of the garment and license plate factories marked a critical first step toward the goal of becoming a modern educational and vocational prison. Unfortunately, the oncoming Depression of the 1930s dealt these aspirations a crippling setback.

Nevertheless, Middleton persisted in his efforts. From 1931 to 1932, prison construction crews demolished the original Federal Penitentiary building. These crews erected the inside administration building in its place. By 1935, the hospital-industrial shop complex was finished. In addition to the hospital facility, the building housed the garment and auto license shops. But, by the mid-1930s the Prison felt the devastating effects of the Depression. Prison construction ground to a halt. The state curtailed the use of outside convict labor and refused to fund additional prison industry. To compound the crisis, desperate and jobless men soon swelled the Prison beyond its capacity. During the following three decades the Prison suffered a period of decline and stagnation.

A Period of Decline: The 1930s-1940s

For the next 20 to 30 years, prison conditions regressed dangerously. The Deer Lodge Prison was designed and suited for the early 1900s. Without renovation or expansion it was ill-equipped to withstand modern pressures. Gradually prison and state officials abandoned their commitment to the vocational and work programs. As the Depression deepened and depleted state funds, a period of retrenchment commenced, lasting for over 30 years. The Prison evolved into strictly a maximum security or confinement prison.¹⁶ Its population increased dramatically as the Depression limited the Prison's work programs and restricted its operations.

In the four years from 1928 to 1931, the Prison's population increased from 441 to an astounding 721, an increase of 53 percent. Until World War II, the Prison incarcerated a yearly average of 500 inmates.¹⁷ Concurrently, as millions of Americans and thousands of Montanans searched for work, any competition by convict labor became intolerable. Although it was within the legitimate powers of the Board of Prison Commissioners to allow outside construction work by prisoners, this work slowed to a trickle, then ceased. Outside trustees were restricted to prison ranch operations.

By 1935, laws required that all "prison-made" goods be clearly stamped. On January 19, 1934, the Montana Legislature decreed that

The sale in the open market in this state of all goods, wares and merchandise manufactured, produced, or mined, wholly or in part, by convicts or prisoners of the state. . . is hereby prohibited.¹⁸

The legislature declared "sales in the open market" to "mean all sales made to the consuming public, through

the medium of stores, shops, sale offices, sale agents, or agencies, whether retail or wholesale."¹⁹

In 1935, the auto license plate and garment factories were installed in the new hospital-industrial shop complex. Until 1942 this was the extent of the Prison's major industrial plants. In that year, the legislature authorized the warden "to establish at the Montana State Prison, a tannery."²⁰ Eight thousand dollars was appropriated, but the Prison never constructed the tannery. Consequently, as the Prison de-emphasized its industries, it shifted to a service-connected penitentiary, concentrating prisoner efforts on laundry, kitchen, or garment work, or only those industries directly connected to the Prison's operational needs.²¹ This policy aggravated prison idleness, as did overcrowding.

A special Joint Committee of the 22nd Legislative Assembly investigated the Penitentiary in 1931. Despite a substantially positive report, the Committee universally deplored some of the Prison's physical plant. The 1896 cell house received particular criticism. "This building," the Committee reported, "is an eyesore to the state and is crying out in its filth and sanitary condition."²² Disgusted by its overcrowded condition and the incessant stench due to the bucket system, the Committee declared it a disgrace to civilization. The cell house represented almost half of the Prison's entire cell capacity and it remained operational until 1959. This indicates the reluctance and unwillingness to improve the Prison's facilities during the 1930s and 1940s.

Confronted with the double crisis of acute overcrowding and sub-standard facilities, the once loosely-enforced Auburn or silent system re-emerged, thus regaining its status as the prominent mode of prison discipline at the Deer Lodge facility. The Joint Committee left this harrowing account of its pervasiveness:

The men file into the (dining) room when the gong sounds, with their arms crossed in front of them and in silence. They eat three times a day and seemed to observe the strictest kind of obedience to prison regulations. They file in, approximately 579 men, and sit on benches eight on a bench and two benches wide. They all sit facing the same way, looking into the throat of a formidable looking machine gun, perched on the top of a cage in front of the room.²³

Inmates served the food in tin pans and though the Prison's restaurant lacked atmosphere and decor, its "food seemed very eatable."²⁴

The prisoners were "prohibited from communicating with each other in the dining room, in the bath-house, in line or in the north exercise walk."²⁵ The rules permitted low-level conversation between cellmates, no doubt due to overcrowding rather than to humanitarian concern. But at 9:00 p.m., every prisoner went to bed when "a profound silence must be observed from that time until the sound of the bell in the morning."²⁶ Unlike Frank Conley and his immediate successors, prison officials of the 1930s prohibited conversation during work:

RULE 55

When called upon to perform and labor they shall do so silently and diligently, and at all times conduct themselves soberly, avoid all laughing and unnecessary noise, and to preserve entire silence except when it may be necessary to speak in relation to their wants, and in all such cases to speak in a low voice and respectful manner.

They shall obey all orders promptly and not be allowed to make a negative reply, or make any excuse whatever.²⁷

Prison guards forbade the inmates to "talk, laugh, run or jump in line at any time."²⁸

Strict enforcement of the Auburn system effectively silenced the inmates. Though largely undetected, these twenty years of retrenchment created festering sores and tensions which exploded resoundingly in the 1950s.

The Prison in 1950

Unless recent trends were reversed dramatically and immediately, the 1950s promised to be a traumatic decade. In 1958, the Montana Legislative Council investigated the Prison. Its general observations pertaining to the Prison's condition were evident in 1950 although the investigation was not conducted until eight years later. The Committee delivered a harsh indictment:

To summarize, not a single major physical facility at the Deer Lodge prison could be described as coming up to modern standards. Much of the prison is so antiquated, obsolete or limited in size that it is a positive detriment to basic correctional aims. Many facilities generally accepted as indispensable to modern prison operation do not exist at the Montana prison. To extensively repair or augment existing facilities would be nearly as expensive as building new ones. To expend much money for this purpose would be to buttress an outmoded and crumbling institution that should be abandoned at the earliest possible date.²⁹

The Prison was "designed for custodial purposes only,

with little or no thought given to rehabilitation."³⁰ The Committee condemned the vocational training plan as "hit and miss," plagued by obsolete equipment and the mindless repetitive production of goods. With the exceptions of auto mechanics and upholstery, these plans were "only remotely related to genuine vocational training."³¹ Similar disarray and shoddiness characterized the institution's education, recreational, and athletic programs. The library's condition paralleled the Prison's plunge to misfortune. "After a first glance at what appears to be an adequate, extensive library," the Committee noted that "the poor quality and selection of the collection becomes apparent."³² Most of the books carried copyrights dated between the late 1890s and early 1900s. In short, very little had improved since Frank Conley's tenure. The failure to replenish the library's treasury since 1920 symbolized 30 years of neglect in prison policy.

During World War II, the resultant decline in the Prison's population offered a brief respite from the critical problems of overcrowding and idleness. The post-war era brought an increase in the prison population. From a low level of 342 in 1945-1946, the population rose sharply to a staggering 584 by 1950.³³ Within five years, that figure increased by 90. Warden F. O. Burrell believed that with a new medium security prison the "overcrowded conditions at the prison. . . (would) be eliminated."³⁴ Burrell failed to detect the storm clouds looming beyond the horizon.

CHAPTER IV

THE 1950'S

An Interlude to Tragedy

Three decades of relative negligence since Frank Conley's dismissal had taken their toll. Once this insidious pattern of deterioration gained momentum, it required a superhuman effort to reverse. Yet an imminent crisis was not readily apparent. According to a 1955 newspaper account, the Prison was "no longer. . .merely a grey place of confinement where the only thing that occupied the inmate's mind is how much time he has to serve."¹ The article praised the Prison's training and rehabilitation programs. The professions taught at the Prison included hospital



Figure 21: Inmate leather crafts



Figure 22: Prison toy shop

attendant, librarian, garment maker, janitor, florist, gardener, plumber, electrician, mechanic, musician, and rancher. Warden F. O. Burrell neither recalled nor anticipated any major prison disturbance.² Soon riots, violence, and tragedy would shatter this complacent attitude.

For three days in February, 1957, three out-of-state wardens inspected the Prison. Joseph E. Ragan (Illinois), G. Norton Jameson (South Dakota), and Harry C. Tinsley (Colorado) extolled the Penitentiary's future while criticizing its present condition. They expressed an especially harsh criticism of its training programs:

The immediate and rather serious problem of employment is concerned specifically with the men confined within the prison

walls. These represent approximately 400 such prisoners without sufficient work to keep them employed. Those who are assigned to industrial work do not have steady full-scale employment because of limitation of production orders.

Idleness is a major plague to good penal operation. It is destructive to the individual both physically and mentally. At the bottom of every serious disturbance and unrest in a correctional institution, idleness always appears as a major cause. . . . Those institutions that operate on a full-employment program under capable prison management seldom are confronted with a major disciplinary problem.³

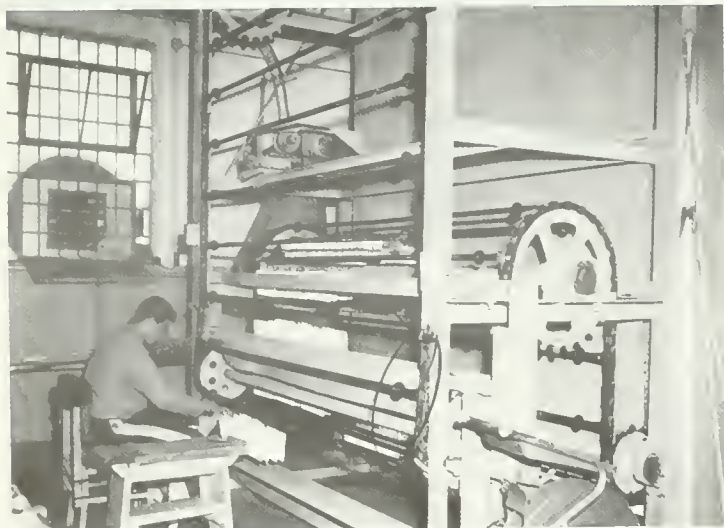


Figure 23: License plate factory

The wardens urged the Montana Legislature to repeal a 1953 law which restricted prison-made goods exclusively to other penal and charitable institutions. "To provide 'adequate employment' of prisoners the wardens urged legislation as of 'utmost importance' to permit use of prison products to every state institution, department, and political subdivision."⁴

The Prison already produced shoes for the Miles City Industrial School, refurbished furniture for the state-house, and annually provided Christmas toys for the state's needy children. But the wardens deemed these admirable efforts as insufficient. Their industrial proposal included a knitting mill, bookbindery, paint factory, canning factory, and an increase of output in the auto license and garment factories.



Figure 24: Ranch headquarters

The wardens declared that the recent "purchase (1953) of the 33,000 acre ranch (was) . . . very commendable."⁵

Consequently, "Montana," the wardens asserted, "has a potential that is beyond most states" regarding its penitentiary.⁶ The wardens added that "every thought and movement should be directed toward locating on this ranch (present site of Deer Lodge Penitentiary) the complete prison setup of the state."⁷ In effect, the wardens declared the Deer Lodge Prison outdated and beyond saving. "To modernize the old Deer Lodge dungeon," according to the LEWISTOWN DAILY NEWS, "would be to shoe a dead horse."⁸ Unfortunately, until the state constructed a new prison, this "dead horse" had to function as a modern penitentiary.



Figure 25: View of prison ranch

The "bloodless riot" of 1957 exposed the Prison's hidden turmoil. "Unfortunate as these disturbances were," the Montana Legislative Council reported, "they have had the effect of making transparently clear the necessity of a reappraisal of Montana's

correctional system and the need for immediate remedial action."⁹ For almost 15 hours, about 80 prisoners controlled the cell blocks and the inside administration building. To quell the riot prison officials promised to improve prison conditions. Thus alerted, state and prison authorities publicly acknowledged the Prison's deplorable state and recommended the construction of a new penitentiary. "The day is not too far distant," Governor J. Hugo Aronson noted, "when the entire State Prison will have to be moved from its present location to the outskirts of Deer Lodge."¹⁰

The Board of Prison Commissioners quickly authorized an official investigation of the disturbance. Kenyon J. Scudder, a respected Los Angeles penologist and member of the Osborne Committee, headed the prison probe. "This is not pleasant to hear," Scudder testified, "but your Deer Lodge (Penitentiary) has been considered a black spot for a good many years."¹¹ Scudder refused to "sugar-coat" his appraisal of the Penitentiary:

I found that the facilities there were exceedingly poor, the building (and) . . . the equipment. . . antiquated; there is no school or vocational classes.

The old cell block is just like a dungeon. Old concrete tombs, that's what they are; no running water, the old bucket system. The second cell block was built in 1912 and it wasn't much better except that it has a toilet and running water.¹²

Scudder forewarned that Montana was "sitting on a powder keg and. . . might as well face it." He recommended more recreational areas, better hospital care, and industrial training.

Attorney General Forrest H. Anderson believed that

"the danger of another disturbance is not imminent."¹⁴ Anderson considered the situation "bad but not hopeless," as he outlined a program of prison reform. Anderson cited the following program as an indication of progress:

1. Substitution of a more efficient food service.
2. Establishment of an exercise yard inside the walls.
3. Installation of cell lighting facilities by which prisoners can read and work during off hours.
4. Establishment of a disciplinary committee to insure against abuse of authority by custodial personnel.
5. Establishment of an inmate council where prisoners can air their complaints and expose inflammatory conditions before they result in a prison disturbance.
6. Enactment of certain security measures recommended by Scudder and the out-of-state wardens who visited the prison in February.
7. Possible acceleration of construction on the medium security buildings located on the prison farm in order to reduce pressure at the prison itself and afford an opportunity for increased inmate employment.
8. Establishment of prison classification and segregation system to increase security, better utilize inmate occupation skills, establish the basis for an effective rehabilitation system and lay the groundwork for successful parole.
9. Hiring of skilled professional personnel to implement the classification, segregation system and assist the warden generally.
10. Appointment by the Board of Prison Commissioners of an advisory committee of prominent citizens to maintain a continuing impartial evaluation of prison operation and progress.¹⁵

Anderson hoped that these reforms and continued vigilance regarding prison reforms would avert future disturbances. But if this program failed, Anderson feared that "the state prison is in for more trouble, probably more serious than already experienced."¹⁶ The reforms noted failed to address the fundamental issue: Deer Lodge needed a new prison. Neither the inmates nor the community of Deer Lodge endorsed the suggested measures.

During the fall of 1957, an inmate, William Arthur Brown, escaped and abducted a local resident, Laura Shafford. Eventually Brown released Shafford before the police apprehended him in Idaho. This frightening incident outraged the entire Deer Lodge community. On October 28, 1957, local farmers gathered at a favorite tavern-country store to form the Citizens Protective Association of Deer Lodge Community. Having lost their faith in the prison authorities, the farmers vowed to provide "maximum security to the citizens of the area" and to arm accordingly.¹⁷ Citizen fear increased during a sitdown strike by 275 inmates on January 27, 1958.

Attorney General Anderson expressed dismay with Warden Burrell's "failure. . .to cope with the prison problem."¹⁸ Consequently, on February 20, 1958, Warden Burrell resigned, with State Highway Patrolman William Benson temporarily replacing him as warden. The LEWISTOWN DAILY NEWS pronounced the Prison "a disgrace to the State and to our civilization" and feared that "a century of neglect cannot be corrected overnight."¹⁹

"If there is going to be peace at Deer Lodge," Attorney General Anderson warned, "we must bring the prison out of the nineteenth century in a hurry."²⁰ This unenviable task fell upon the shoulders of Floyd Powell. A widely respected prison reformer and deputy warden from Wisconsin State Penitentiary, Powell was appointed warden on March 4, 1958. Throughout Montana

newspapers praised Governor Aronson's decision, "The appointment of a qualified trained penologist who understands a prison's unique problems is. . . a good beginning."²¹

The LEWISTOWN DAILY NEWS' plea to "maintain this momentum of reform" was indicative of the high expectations aroused by Powell's appointment. Unfortunately, the momentum engineered by years of indifference and disregard proved impossible to stem. Powell's gallant effort came to naught. Though Powell was aware of the limitations imposed by the antiquated Prison, he persevered against immeasurable odds.

The new warden immediately recognized that "the industry buildings at the prison are not equipped to do what they should, especially in the field of training."²² Based on the standard of an eight hour work-day, the Legislative Council estimated that 40 to 50 percent of the inmates were idle, and that much of the work was "repetitive, unproductive, and improvised purely for the purpose of providing 'jobs.'"²³ Hence, Powell favored the construction of a new prison over an extensive renovation of the old Penitentiary. During the early months of 1958, the Montana Legislative Council conducted a thorough investigation of the Penitentiary. Their report was based on:

The assumption and the idea that ultimately the entire prison now located in the town of Deer Lodge will be permanently transferred to a site on the Prison Ranch. The newly-acquired land, which consists of about 33,000 acres, offers great potential for construction of an adequate prison containing all of the facilities required to operate a correctional system in keeping with the modern concepts of penology.²⁴

During September, 1958, the Prison Commissioners and the Montana Legislative Council's Prison Subcommittee joined with Powell and Aronson to support plans for

a new prison. On November 8, 1958, the State of Montana was granted a Federal loan of \$6,673,438.00 for a new penitentiary. "The planning made possible by this grant," Attorney General Anderson proclaimed, "will enable us to establish a coordinated and comprehensive plan for building a modern prison."²⁵

The 1959 Prison Riot

While the prospects for a future prison brightened, the immediate situation remained bleak. This question haunted prison officials: Could "Floyd E. Powell. . . revive an institution which has been deteriorating for 30 or 40 years?"²⁶ Years later, Powell recalled that "the prison was a tension-ridden, overcrowded, disorganized mess--a powder keg set to explode at the slightest provocation."²⁷

"Time is running out," a local newspaper warned, "The smoke we see arising occasionally from Deer Lodge comes from a volcano."²⁸ On April 16, 1959, the volcano erupted. At approximately 4:00 in the afternoon Jerry Myles and Lee Smart, Jr. led about 12 other inmates in a desperate escape attempt. At that time "convicts snatched a 30-30 rifle from the catwalk in each cell block (and) overpowered the prison guards."²⁹ Simultaneously Myles gained access to the deputy warden's office in the inside administration building. Guard William C. Cox remembered that Myles requested pills for his migraine headache. "I went into the office," Cox recalled, "to get the medicine for Myles and while I was getting the medicine Myles rushed by and threatened (Deputy Warden Theodore Rothe). . . with a knife."³⁰ Rothe fended off the knife assault with a plywood letter file box. Suddenly a rifle shot pierced the air, felling Rothe in a pool of blood. Lee Smart fired the fatal shot. At gun and knife point, Myles and Smart forced Cox to inform Powell that trouble was brewing. As Powell rushed into the office he became easy prey for Myles and Smart. With a knife to the warden's back, the rebellious

inmates shackled Powell to the bars. Suddenly, after a three-hour ordeal, an inmate wielding a meat cleaver shouted, "I will cut the throat of the first (convict) . . . that touches the warden."³¹ Then Earl Howard Jackson, serving eight years for burglary, managed to free Powell and escape to safety. But 18 prison employees and five "stool-pigeon" inmates remained inside as hostages. The convicts shoved the hostages into the cells. As the National Guard and the Highway Patrol surrounded the Prison, Myles threatened to kill the hostages if the cell blocks were stormed. A ghastly death was planned. Myles threatened to burn the hostages alive with bottles of naphtha, or Molotov cocktails. Chris Pletan, a prison guard released for diabetes, muttered that "they mean business. They're not fooling."³²

"I hold all the aces (hostages)," taunted Myles over the loud speaker, "so you will play my game."³³ For the next 36 hours an unbearable tension hovered about the Deer Lodge Penitentiary. Families nervously awaited word about their loved ones. The National Guard and police watched helplessly. Governor Aronson refused to negotiate:

(I am). . . standing firm on my original statement that I have no intention to go to Deer Lodge or to talk to any of the rebellious convicts until order has been restored, all hostages released unharmed and the convicts back in their cells.³⁴

Subsequently, Myles released Walter Jones, the Prison's sociologist and a hostage, to act as mediator. If Jones failed to return, the convicts would kill the remaining hostages. A visibly shaken Jones warned that the captive hostages "are all set up to be killed, some will be hanged. I am going back in."³⁵ As the negotiations stalled, an already explosive situation intensified. Myles announced:

We're not fighting for today, but for the next guy who comes in here. The governor won't listen to us, he never will. They give us everything on a string and then take everything away from us one at a time.³⁶

Thus cornered, prison and state officials approved a daring and drastic plan.

By late Friday night, April 17, riot-control officials discovered that the ringleaders were in the northwest tower of the 1912 cell block, with the hostages crowded into two northwest cells on the third tier. They decided to strike.

The National Guard, assisted by the Highway Patrol, devised a strategy to isolate the rebellious inmates from the hostages. From the wall outside the northwest tower the Guard stationed Sergeant Wall, armed with a bazooka. Bazooka shots fired by Wall would be followed by constant machine-gun fire from Highway Patrolman Robert Zaharko. From a point on the north wall near the northeast tower, Zaharko would unleash a fusillade of bullets through the cell block's window, thus sealing off the ringleaders into the northwest tower. Then in rapid succession, seven teams led by National Guard officers would storm the prison.

In the early hours of Saturday morning, a bazooka shot shattered the uneasy calm which shrouded the Prison. "The first I knew that something was up," a hostage later recalled, "was when an explosion sounded, showering glass all over us. Then there was machine gun fire."³⁷ Then the seven teams led by Lt. Colonel E. C. Ellsworth, Lt. Colonel R. C. Kendall, Major Hugh McElwain, Captain Reuben Dwight, Captain Dale Dahlgren and others stormed the Prison. Warden Powell participated in this initial charge. George Axtell recollected that: "We could hear shots of the guardsmen. They entered the hospital.

Then they escorted us along the walls of the building to the women's quarters and out a back gate."³⁸ All the hostages escaped unharmed.

As the first bazooka blast sounded, Myles was digging an escape tunnel from the 1912 cell block towards the north wall. Caught unawares, Myles rushed to the tower. Thus trapped in the northwest tower and facing imminent recapture, Lee Smart apparently murdered Jerry Myles shortly before committing suicide.

The Boss-Con System

Prisoner discontent regarding idleness and overcrowding combined with the desperate desire to escape: these are the common reasons given to explain the prison outburst. But an equally valid explanation is often ignored. As noted, the Prison experienced a dramatic increase in population immediately following World War II. Concurrently, the Prison suffered a cut in full-time, qualified employees. In 1950 the Prison employed a total of 62 staff personnel, or a ratio of 9.6 prisoners per employee. This figure far exceeded the national average of 6.4.³⁹ By 1957 the ratio jumped to 14 prisoners per employee before dropping to 7.5 by May 1, 1958.⁴⁰

After the July, 1957 disturbance, the Montana Legislative Council concluded that "at the very core of the recent disturbances. . . was the personnel situation."⁴¹ The Council added that "only. . . backward and poorly administered institutions" provide fertile ground "where 'rackets,' 'gangs,' and powerful 'con bosses' are rife within the inmate community."⁴² Consequently, "incompetent personnel are dominated by the corrupting influences of the convict system."⁴³ Such was the case at Deer Lodge throughout the 1950s.

The de-emphasizing of prison industries, concurrent with staff reductions and increased population,

severely pressed the institution's limited manpower. Consequently, the prison authorities could provide only outside perimeter security, leaving the convicts themselves to run the service-connected industries. In effect, by the early 1950s inside the prison walls the prisoners were kings.

Ringleaders or "boss-cons" dominated the inmates, the service industries, and the prisoners' concession (i.e., leather work) operations. "Boss-cons" profited both financially and by an increase in prestige. During this period shakedowns of prisoner cells ceased and alleged drug trafficking and homosexual activity reached crisis proportions. Jerry Myles was a boss-con.

When Floyd Powell arrived in Deer Lodge he immediately initiated a policy designed to break the "boss-con" system. Deputy Warden Theodore Rothe spearheaded this drive. As this crack-down verged upon success, the 1959 prison riot occurred.⁴⁴

As if to confirm the Prison's demise, on August 17, 1959, an earthquake damaged the 1896 cell house. By week's end, prison officials authorized the demolition of the old structure. The loss of the cell block further exacerbated the Prison's overcrowded condition. Attorney General Anderson maintained that "trying to keep 20th century hoodlums in a 19th century jail" was impossible.⁴⁵ He offered an apt analogy: "This is like trying to run a zoo with the elephants in monkey cages and the monkeys in elephant cages, in which case you can't control either the monkeys or the elephants."⁴⁶ Accordingly, Warden Powell renewed his campaign for a new prison.

On November 8, 1960, Montana voters dealt Powell's dream a severe setback. By a margin of 120,749 to 78,281, the voters rejected the Prison's five million dollar bond issue. In 1961, Governor Donald G. Nutter declared a moratorium on all new construction of state buildings. That same year the legislature

cut the Prison's budget by \$500,000.00. Reductions in the educational and industry programs and staff accompanied this cut. By February, 1962, a distraught and frustrated man, Powell tendered his resignation, effective immediately. Although Powell's crusade to inaugurate a new era failed, ultimately the citizens and public officials of Montana recognized the need for a new prison.



Figure 26: Hospital and north yard, ca. 1955



Figure 27: Administration and 1896 cell house, ca. 1955



Figure 28: View of yard and structures, ca. 1955

CHAPTER V

EPILOGUE

A New Prison is Approved

After the citizens of Montana resoundingly rejected the five million dollar bond issue in 1960, the Prison entered a ten-year period of retrenchment. Warden Ellsworth and most prison officials were reluctant to procure the political clout and support necessary to build a new prison.¹

During late 1959 and early 1960, the Prison felt the reverberations of the recent riot and earthquake. The demolition of the 1896 cell house heightened the Prison's dire need for new facilities. The dining room in the administration building and the outside carpenter shop were converted into inmate dormitories. Maximum security cells were built in the auto license plate factory. Clearly, these innovations failed to address the Prison's fundamental needs. Montana needed a new prison.

From 1969 to 1971, Warden Estelle lobbied for a new institution. When he left in 1971, both the legislature and the governor's office were primed to support construction of a new facility.² Indeed, in 1971, "the legislature. . . earmarked \$3.8 million" for its construction.³ The means of funding was left unresolved. Within a year, Governor Forrest Anderson proposed using \$3.8 million of Federal revenue-sharing money.⁴ For the next year, debate centered upon the merits of a regional system versus a state centralized prison at Deer Lodge. By March, 1973, the legislature approved Anderson's plan. Construction of the new penitentiary commenced in late fall, 1974.

Meanwhile, the old Deer Lodge Penitentiary prepared for its demise. Warden Roger W. Crist considered its continued operation too costly. "The intent," Crist

announced, "is to completely abandon the old facility."⁵ But until the new prison was completed, the old Prison remained an essential part of Montana's penal system. Unfortunately, during this transitional period, disaster struck once again.

The Prison Theater Fire

The night's raw wind pierced through Frank Thompson's clothes as he conducted his nightly rounds. Suddenly Thompson noticed smoke rising from the prison theater. He immediately called Correctional Sargeant William J. Wilz for assistance. For approximately two and a half



Figure 29: Montana State Prison Fire Department

hours the fire smoldered and burned undetected. By the time Thompson and Wilz arrived inside the theater, the fire had reached an advanced stage. The time:

11:45 p.m., December 3, 1975. Four hours earlier approximately 200 inmates were eating popcorn and drinking soda as they watched "The Odessa File."

Thompson and Wilz observed flames shooting up from the southwest corner of the stage area. One of the stage curtains erupted into flames as the fire spread to the roof. The heavy concentration of smoke forced Wilz to withdraw. He then rushed out and hooked the fire cart to the hydrant in front of the theater. By this time prison officials had alerted the Deer Lodge City Fire Department.

Exceptionally thick smoke hindered the men's gallant efforts. Two officers, James Burdette and John Dunkin, fitted with breathing apparatus, thought they had extinguished the blaze, but heavy smoke filtering from a small vent (southwest corner) indicated otherwise. By the time the Deer Lodge fire truck arrived, it was too late. By 4:00 p.m. the fire had gutted the magnificent structure. Prison authorities suspected arson, but this was never proven. The fire destroyed former warden Frank Conley's proudest achievement.

A prison shakedown followed. The discovery of contraband and dangerous weapons prompted Warden Crist to reopen "Old Max." The maximum security unit (formerly the women's headquarters) had been shut down for three years. New portable flush toilets were installed for the 12 new residents.

Prison officials hoped that the need to renovate the old Territorial Prison's ancient facilities would be eliminated once a new prison was completed in 1974. Overcrowding at both penal facilities delayed the abandonment of the former site until additional cell houses could be added to the new institution. Final additions to the new penal institution west of Deer Lodge were completed on September 5, 1979, at which time the moving of prisoners was started. All 325 had left the old Penitentiary by September 24, 1979,

and were incarcerated in the new facility.

On July 8, 1973, a newsman had questioned Warden Roger Crist about the old Prison's future. "My best guess," Crist replied, "is that it will probably end up being some sort of museum."⁶ The old Montana Prison at Deer Lodge could suffer a worse fate.

STRUCTURE
HISTORY

NON-EXISTING STRUCTURES

Non-Existing Structure A (Original Penitentiary Building: North Wing, Middle Building, and South Wing)

I. North Wing

On January 22, 1867, the United States Congress authorized Montana to set aside \$40,000 for the construction of a Territorial prison. The Federal government's plans entailed a penitentiary building which would house two wings of cell blocks (north and south) and a central or middle administration building. But financial constraints forced the Superintendent of Construction and Building, Dr. Armistead Mitchell, to devise a modified plan. Mitchell proposed building only one wing (north) of the proposed penitentiary. Yet even this large-scale reduction proved unsatisfactory. Lack of funds compelled Mitchell to delete the proposed second and third tiers of cells. The Interior Department endorsed Mitchell's plan and specified that the wing be 70 feet 2 inches by 44 feet 4 inches from outside wall to inside wall. Each cell measured 6 feet by 8 feet with ceilings 8 feet in height. The cells totaled 14, one of which served as a bathroom with wash and toilet facilities.

On June 2, 1870, Contractor George McBurney laid the cornerstone for the north wing. McBurney completed the construction by early October. In August, 1874, Congress authorized an appropriation to complete 14 additional cells. This gave the Prison 28 cells and the capability to house 56 inmates. Between 1890 and 1892, the State Board of Prison Commissioners authorized the erection of a third tier of wooden cells for the north wing. The cells had grated doors, were lined with sheet iron, and had a capacity of 42.

II. Middle Building

Not until October, 1884, did Congress award a contract for the construction of the central portion of the original Penitentiary. The central building served as the guards' sleeping and dining quarters, the warden's office, and the visitors' reception room. James W. Mills, Superintendent of Construction, assigned a Helena firm, McConnell & McDeritt, to construct the 35 by 50 foot, three-storied stone building. McConnell & McDeritt finished the job within six months.

III. South Wing

On March 3, 1885, Montana Territory received a Congressional appropriation of \$35,000 to complete the Federal Penitentiary. Once again Mills granted



Figure 30: Original Territorial Penitentiary building.
Constructed 1870-1885

the contract to McConnell & McDeritt. By spring, the firm constructed the south wing of the Penitentiary. The 68 by 40 foot, three-storied structure contained a three-tier block of brick cells. The cells numbered 42, thus giving the structure the capacity for 84 inmates.

IV. Changes in Use

According to the 1914 Annual Report,

The old federal prison which was built in 1870, and which contained 48 cells, being very unsanitary and ill-arranged for present-day requirements, was remodeled by removing all the cells and making three separate floors which are now used as work shops by the carpenters, plumbers, tinsmiths, tailors, shoemakers and others.¹

In 1927 the Montana State Legislative Assembly passed two bills which collectively appropriated \$40,000 to install an auto license plate and state garment factory at the Penitentiary. The 1929 Sanborn Insurance Map indicates that the original penitentiary building incorporated these two factories. The north wing housed the garment factory, and the south wing housed the license plate factory.

In 1931 a prison committee determined that the original Federal Penitentiary "now (stood) in the way of progress at the institution."² Accordingly, the structure was demolished, to be replaced by the inside administration building between 1931 and 1932.

Non-Existing Structure B (Wooden Fence)

Sometime between 1875 and 1877 the United States Marshall, W. F. Wheeler, authorized the erection of

a wooden wall about the prison yard. the 12-foot high board fence enclosed a 300 square foot area. During 1890, a June windstorm blew down two sides of the wall. With new lumber and fence posts, prison crews repaired the fence. In 1893, the now-existing stone wall replaced the wooden fence.

Non-Existing Structure C (Kitchen)

Prior to 1890, the prison kitchen consisted of a series of log frame buildings. Two of these structures burned in 1882 and in 1885. In 1890, prison officials determined that such an ever-present fire hazard could no longer be tolerated. According to prison officials, "the maintaining of a wooden building for a kitchen which was erected alongside of and against the north wing of the prison, was a standing menace against the safety and security of the other buildings, and as well the prisoners therein confined."³ Consequently, a brick building, 20 by 24 feet, was erected. The building had a stone foundation and, inside, a kitchen with a 10 by 14 foot oven with a baking capacity sufficient to feed 600 persons. The kitchen was replaced by a more modern facility in 1912.

Non-Existing Structure D (Dining Room)

During the spring of 1890 a dining room, 20 by 30 feet, was built directly south of the south wing. But "owing to the increase of prisoners it was deemed necessary to construct a larger dining room, and accordingly in September 1891, the old one was moved to a building which is 150 feet southwest of the south wing of the prison."⁴ Construction crews enlarged the building by 30 feet, giving the structure a dimension of 20 by 60 feet, with a seating capacity of 230.

Non-Existing Structure E (Hospital)

In 1890 a small log hospital, 16 by 30 feet, was constructed. The building contained a physician's office, storage room, and an operating table.

Non-Existing Structure F (Dining Room-Hospital)

"Supplying a long-felt want," the 1895 prison report states,

The wooden shacks and buildings which contained the tailor-shop, shoe shop, meat shop, laundry shop, etc. have been torn down and replaced by a comfortable, two-story brick building, the second floor of which contains a good well-ventilated hospital, also a dining-room sufficient to accommodate 425 prisoners at one time.⁵

The building was two stories high, 150 feet by 40 feet in width, with a projecting center portion which was 40 feet by 50 feet deep, the whole covering an area of 6,800 square feet.

The foundation walls were of granite, three and a half feet thick and from four to five feet deep. Red brick was used for the superstructure and then pointed off with white mortar.

Window and door sills, caps, copings, battlements, and trimmings were white granite. All partitions were brick, resting on granite foundations. The floor of the first story was partly stone flagging, from three to five inches in thickness, laid in cement; and partly brick paving, with a covering of cement an inch and a half in thickness.

The north end of the building was occupied by the women's department and contained three rooms on the

first floor, with a staircase leading to three rooms and a bathroom on the second floor. A 16 inch brick firewall running through the roof separated this department from the balance of the building.

The annual report stated that the first story of the building proper was 12 feet high and contained a:



Figure 31: Dining room-hospital constructed 1895

Store Room, 684 square feet
Butcher Shop, 494 square feet
Tailor and Shoe Shop, 1,102 square feet
Blacksmith, Tin and Carpenter Shop, 1,102 square feet
Wash House, 988 square feet
Kitchen, 1,140 square feet

The second floor housed a dining hall, 38 by 104 feet

93,952 square feet), with ceiling 15 feet high. A large elevator connected this dining hall with the kitchen below. A separate staircase on the south end of the building led to the hospital, 20 by 30 feet in size, with a doctor's office and drug room connecting.



Figure 32: Inmate cooks in kitchen

On the south end of the main building, but not connecting with the building, was a bakery, one story high, with a furnace, the oven of which measured 14 by 14 feet on the inside. Included in this building was a flour storeroom, 6 by 16 feet, and a kneading room, 10 by 20 feet in size.

Non-Existing Structure G (Dining Room)

The dining room was renovated in 1912. Walls and ceilings were relined with ornamental metal, and a terrazzo floor was laid throughout. Terrazzo is composed of Portland cement and marble chips of various colors, reinforced with steel bars. The surface is ground down to a glass-like finish. The entire structure housed the prison barber, laundry, library, bath house, kitchen, and bakery.⁶

Between 1912 and 1929 the building was expanded and

joined to the boiler room. Prison officials converted the boiler room to a laundry and band room, including a guards' bath, boiling vats, and a drying room. The original dining room was converted to a tailor shop and other industrial arts facilities. The kitchen was enlarged when the two buildings (dining room complex and old boiler room) were adjoined. In addition, the building housed a tin shop, storage room, and barber and tailor facilities for the guards.

Non-Existing Structure H (1896 Cell Block)

Operations commenced on the new building on May 9, 1895, with the laying out of the site. Excavations for the foundations began on May 11, 1896. The dimensions of the building were detailed as follows:



Figure 33: 1896 cell block

Length outside, 187 feet 3 inches
Length inside, 183 feet 1 inch
Width outside, 49 feet 8 inches
Width inside, 45 feet 6 inches
Height, 40 feet 6 inches

The building was divided into two compartments, the men's quarters and the youths' quarters, and these were separated by a division wall running from the foundations to the roof of the building, the wall being of brick, one foot nine inches thick. The wall was solid from floor to roof, not having doors, windows or openings of any kind in it, thus shutting off communication between the two compartments.

The men's quarters contained four tiers of cells, 32 cells to each tier, a total of 128 cells having a capacity of two to each cell, or a total of 256 prisoners. The size of the compartment was 142 feet 8 inches in length, 45 feet 6 inches in width, and 36 feet 1 inch in height. The youths' quarters contained two tiers of cells, eight cells to each tier, for a total of 32 prisoners. The size of the compartment was 38 feet 8 inches in length, 45 feet 6 inches in width. The dimensions of all cells within the cell block were 6 feet wide, 8 feet long, and 7 feet 4 inches high.

The furnishing of cut stone for the cell house required the establishment of a camp for the prisoners near the quarry on the farm of a Mr. LeMontague. Conley and McTague rented this farm with the understanding that whatever rock and timber were necessary for the new building were to be taken from this farm at an expense of \$25.00 to the state. The stone used in the construction of the building was taken from this farm. The stone thus used was not regularly quarried, but immense boulders were split and broken on the ground, and these large pieces were loaded on wagons by means of a derrick and hauled to the Prison. Then they were dressed into sizes and shapes as

required. The number of square feet of cut stone used was 8,533.

Conley and McTague furnished free of expense to the state two ox teams, one of three yoke and one of four yoke, with two large ore wagons and a trail wagon

to each outfit. These were used to haul the rock from the quarry to the Prison, a distance of three and a half miles. The number of wagon loads of rock hauled was 270.

William Gallus, a prisoner committed to the Penitentiary from Custer County, had charge of the work of quarrying the rock, and he proved to be efficient and trustworthy.



Figure 34: Interior of 1896 cell block

The number of men employed in and about the quarry was 12, who worked a total number of 1,260 days. There was one guard employed who worked a total number of 168 days at a cost of \$357.50.

When acquiring stone for the foundation, it was found expedient to use local boulders since the cost of imported rock proved to be too expensive. Conley and McTague located a quarry on the line of the Montana Union Railway near Kohr's Siding, six and a half miles from Deer Lodge. Twenty-six carloads of rock were quarried there. The freight from Kohr's Siding to Deer Lodge was \$195.00. The number of pieces of stone used in the foundations of this building was 685. The number of men employed in and about this quarry was 16, who worked a total number of 288 days. There was one guard employed, who worked a total number of 19 days at a cost of \$39.52.

The building was demolished after a crack developed in the structure during the 1959 earthquake. (Please see Appendix D for the Superintendent's Report.)



Figure 35: Demolition of cell block 1959

Non-Existing Structure I (Cold Storage Plant)

The cold storage plant was constructed in 1912 and 1913. It had a capacity of 700 quarter of beef. An ammonia plant was installed within the cold storage plant with the capacity to make 37 tons of ice per day.



Figure 36: Interior of cold storage plant constructed 1912

Non-Existing Structure J (Sidewalks and Lampposts)

Between 1912 and 1913 convict crews laid approximately 8,000 square feet of concrete sidewalks outside and inside the prison walls. Cast iron lampposts were erected at intervals around two sides of the Prison for lighting and security purposes.⁷ The exterior cast iron lampposts still remain on the east and north sides.

Non-Existing Structure K (Smokestack)

During 1912 and 1913, a 115-foot high brick smokestack, reinforced with steel, was constructed in connection with the boiler room. The boiler room was constructed sometime between 1894 and 1912.

Non-Existing Structure L (Storehouse)

The storehouse was built in 1912 to store flour, grain, and other commodities. The building was 130 feet long by 30 feet wide, and was built of concrete and brick.⁸

Additional Non-Existing Structures (as indicated by Sanborn Insurance Maps and Prison Documents)

1. Old storehouse - ca. 1890
2. Carpenter shop - ca. 1890
3. Wash house - ca. 1890

The above three structures periodically served as prison quarters to alleviate overcrowded conditions in the cell blocks.



Figure 37: Log cell house 1890

4. In 1890 a log cell house, 56 by 20 feet, was constructed. Prison officials fitted the eight foot high structure with double bunks and tables. The cell house accommodated 68 men.
5. In 1890 a log building, 12 by 15 feet, was constructed. It served as the guards' bathroom and as a surgery room.
6. In 1890 a log soap house, 10 by 12 feet, was constructed.
7. In 1890 a log cow stable, 20 by 24 feet, with a hay loft, was constructed.
8. In 1890 two sentry houses were constructed.

9. Milk house - 1890
10. Root cellar - 1890
11. Three lookout towers - 1890
12. Water plant - 1890
13. Storage house, prisoners' provisions and clothing - 1891
14. Female prisoner department - 1892-1894
15. Log carpenter-laboratory shop - 1892-1894
16. Temporary stone-cutting facilities for construction of stone wall - 1893-1894
17. Earth cellar - 1894



Figure 38: Power plant in yard 1908

18. Meat storage - 1894
19. Arsenal - 1894
20. Log prison building - 1894
21. Boiler room - 1908-1912



Figure 39: Hospital 1908

22. Reinforced concrete hospital - 1908-1912
23. Office building - 1908-1912
24. Cellar - 1908-1912

EXISTING STRUCTURES

The Prison Wall

In 1893 the prison wall, the oldest existing structure at the State Penitentiary, was constructed. Prison Officials in 1892 recognized that the lack of a secure wall could no longer be tolerated. According to a yearly report, the Prison's "most glaring need was a stone wall to take place of the old board fence, which was becoming old and rotten in places, and which had been repeatedly repaired."¹

The state decided to enclose the Prison proper by constructing a stone wall. But in 1893 a nationwide depression left Montana's state treasury depleted, a circumstance which forced the adoption of an unprecedented method of construction if the state plan was to be realized. To cut the prohibitive cost, Warden Frank Conley utilized convict rather than outside skilled labor. Conley appointed James McCalman as Superintendent of Construction to train and supervise the inmates. In addition to these responsibilities, McCalman also served "in the capacity of an architect."²

The Prison obtained the required stone from a local quarry and then rerouted a Northern Pacific sidetrack through the Prison's main entrance. Conley's later correspondence reveals the source of the wall's stone. In 1912 during preparations to extend the 1893 wall, Conley recommended "a suitable quarry" located "about three miles west of Garrison on the Northern Pacific."³ Conley disclosed that the quarry was the home of "the stone that the former walls (1893) were made of."⁴ Apparently two partners, Williams and Matheson, owned the quarry. In 1893 they received \$2,963.45 from the Penitentiary, presumably for the quarried rock.⁵

In the spring of 1893 construction of the wall began. By the fall of 1894, prison officials proudly announced



Figure 40: Stone cutting and wall construction 1893. Superintendent McCalman is seated to the left.

"at this time the completion of the wall."⁶ Upon its completion, an awestruck State Board of Prison Officials examined the structure:

This work was of far greater magnitude than was anticipated at its commencement a year and a half ago. The massiveness and beauty of this wall can be appreciated only by personal inspection. For strength and durability, as well as from an artistic standpoint, this structure has no equal in the United States and it is a flattering monument of convict skill and labor.⁷

The wall provided the Prison with its first secure enclosure.

Carpenter Shop

In 1900 prisoner construction crews built the carpenter shop just outside the prison wall.⁸ From 1900 until the early 1960s it served as a carpenter shop, garage, storeroom, property controller's office, inmate waiting room, and trustee visiting room. The 1959 earthquake forced prison authorities to convert it into an outside dormitory. To house the dislocated prisoners, a pumice block addition was erected sometime between 1962 and 1963.⁹ Presently it houses the Towe Auto Collection. Before its conversion to a dormitory, the southeast corner room served as the trustee visiting room, while the center of the structure was used as a storage area for commissary supplies and as an office for the property controller. The garage and carpenter shop were for "inmate training and maintenance of institutional" vehicles.¹⁰

Women's Quarters

From a close reading of the Sanborn Insurance Maps of Deer Lodge and the Prison Annual Reports, the women's quarters apparently were constructed between 1904 and 1908, most likely between 1907 and 1908. A precise date is difficult to ascertain because the 1907-1908 Annual Report has been irrevocably lost. During this time the wall enclosure about the women's headquarters was also constructed.

In 1926 prison authorities observed that "the buildings in the women's department were in a dilapidated condition, the Floors and sills were rotten and the entire department unsanitary."¹¹ These conditions were remedied and a room 14 by 30 feet added. The additional room served as a hospital.

A 1931 prison inspection committee failed to display any enthusiasm for the renovations. The women's

quarters, the committee reported "is a small shell of a building located towards the back of the grounds and surrounded by a high wall. The building itself is rotting away and so is the wall surrounding it."¹² The committee recommended its discontinuation as a facility for women prisoners. Though its advice was ignored, prison officials eventually converted the women's quarters to a maximum security unit. After the August 17, 1959 earthquake, prison work crews removed the private rooms, matron's quarters, and the kitchen and dining facilities. To ease the Prison's overcrowding, 16 to 18 maximum security cells for problem inmates were installed, of which only a few were equipped with toilets or running water. Consequently, a hardware or mesh cloth hung in front of the cells. Apparently, disgruntled



Figure 41: Women's quarters constructed 1907-1908



Figure 42: Women's quarters converted to maximum security 1959

convicts frequently emptied their buckets on an unsuspecting guard. The facility is no longer used.

Massive Construction Program of 1912

Although the stone wall strengthened and tightened the prison's security, the continued growth and future of the Penitentiary remained in question. In 1908 a Prison Appraisal Committee investigated and then condemned the Prison's precarious condition. The lack of modern facilities and the accompanying crisis in discipline and overcrowding threatened the Prison's very existence. The committee recommended that "in view of the crowded condition of the Penitentiary, (with) about one fourth of the population being housed outside prison walls. . .the State (should)

proceed at once to enlarge the penitentiary to suitably meet its requirements."¹³ The committee report presented the Prison Commissioners and Warden Conley with two choices: either approve a massive building project or suffer the consequences accompanying the unremitting deterioration and ultimate decay of the Prison.

The Prison Commissioners demonstrated their resolve to save the Penitentiary with the decision to employ inmates "in the making of brick to be used hereafter to be erected on the ground for state purposes in connection with the prison."¹⁴ By 1911, the Board and Conley endorsed a major building program entailing the extension of the wall, the construction of a new cell house, power plant, dining room, kitchen, and cold storage facility, of which only the wall, cell house, and power plant remain.

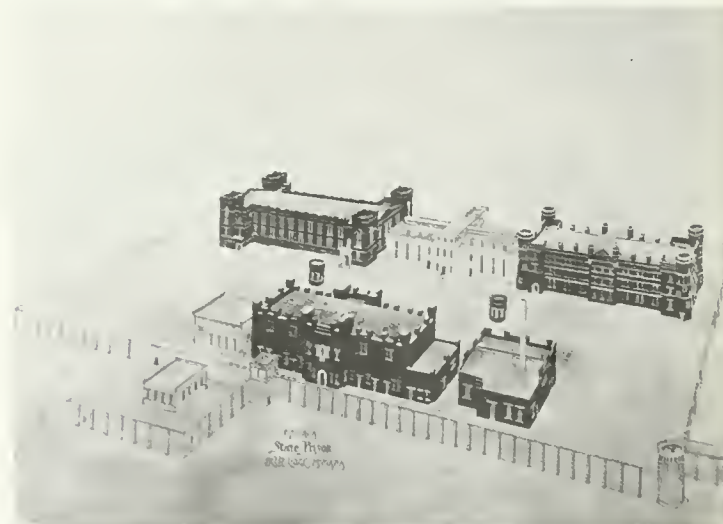


Figure 43: Drawing of Montana State Prison 1912

Pertaining to the "matter of the construction of the additional walls and buildings on the prison ground,"¹⁵ the state made preparations to obtain the necessary building materials. Conley established a prisoner quarry camp in the vicinity of Bradley, Powell County. "Located at Bradley Station, a distance of 17 miles from Deer Lodge,"¹⁶ the quarry supplied the stone required for the extension of the wall. Granite toppings for the wall were acquired from T. Kain and Sons. On August 11, 1911, the Board instructed



Figure 44: View of yard, ca. 1920

Conley to purchase additional "cut granite in the base of the flue at Whitehall. . . owned by a Mr. Walsh" for \$600.00.¹⁷ The Board obtained this granite "for use as caps in the new cell house now being built."¹⁸

Conley endorsed James McCalman "as the best man in this line I ever saw,"¹⁹ and the Board approved his appointment as Superintendent of Improvements. Conley valued McCalman's expertise and recognized his worth in the unenviable task of supervising the

convicts. According to Conley, McCalman "took fifty men and learned them the trade of stonemason, and was the only paid mechanic on the job, and his work was first class."²⁰ Thus equipped, Conley embarked upon three years of construction.

Extension of the Wall - 1912

"The first thing I would recommend being done," Conley proposed, "would be to extend the north wall to the street line, taking in all the State property on the north."²¹ Conley contended that it would not "be neces-

sary to get plans for the work, as Mr. McCalman can do it himself."²² Throughout 1911, McCalman's crews extended the prison enclosure by 48,000 square feet, the wall "being continued north 165 feet, west 300 feet and south 165 feet."²³ The wall averaged 24 feet



Figure 45: Extension of wall and building of northwest tower 1912

in height, 2 feet in thickness and reached 4½ feet below ground, where the wall was 3½ feet thick. After an on-site inspection, the Board of Prison Commissioners described the wall:

Every square foot of wall above ground is cut stone, random rubble outside and square dressed inside, with cut stone pilasters every twelve lineal feet along the outside. The wall is covered with a cut granite copping three and quarter feet wide.²⁴

Four lookout towers were added, each approximately 40 feet in height and 16 feet in diameter. Five years later, Conley expressed satisfaction with McCalman's finished product. The wall, Conley observed, "is constructed of rock and is twenty feet high with forty two inch copping on the top for the guards to walk on. . . (with) a guard tower every three hundred feet, and I consider it an ideal wall."²⁵

1912 Cell Block

The wall extension removed any constraint blocking further construction. Warden Conley's lament in 1910 indicated the Prison's urgent need for additional cells to house the prisoners.

The cell capacity of the prison will not accommodate the prison population by about 150. This condition has been relieved by the establishment of prison camps. If the prison camps should be discontinued, it is imperative that appropriation be made for cell block construction to accomodate two hundred or more.²⁶

To ameliorate the situation, construction of a new cell house began in 1912.

C. S. Haire, of Link & Haire, a Helena architecture firm, designed the cell house, which took 12 months to complete. The cell house markedly improved the Prison's capacity to house inmates by accommodating 400 prisoners within its 200 cells. Each cell corridor contained four tiers with 25 cells to a tier, or row, of cells. Each cell (8 by 6 by 7) possessed "all (the) necessary sanitary arrangements, there being two fixtures in each cell with an abundance



Figure 46: Construction of 1912 cell block. Superintendent McCalman is standing on the right.

of pure spring water."²⁷ Conley ordered the bathroom facilities, "regular prison hopper closet(s)" and basins from the N. O. Manufacturing Company from St. Louis. Conley favored a self-flushing system for the cell water closets; that way "the necessary flushing. . . (would) be beyond the control of the prisoners."²⁸



Figure 47: 1912 cell block

A corridor 12½ feet wide surrounded the cell block, separating it from the outer walls. A utility corridor containing the plumbing and ventilation systems (installed by Nelson and Company, a St. Louis firm) ran longitudinally between the tiers of cells. Steel bars prevented unauthorized persons and prisoners access to these corridors. The "iron and steel parts (cell and dungeon doors and window gratings) were furnished by the Pauley (Jail Building) Company of St. Louis."²⁹ Reinforced concrete protected each cell, "making them all absolutely fireproof."³⁰ Prison officials installed a system of electric fans and 3,500 square feet of glass that supplied pure air and sufficient lighting to the inmates.

Cut granite with iron gratings and prison-manufactured brick comprised the outside wall. The cell house ran 216 feet in length, with a maximum width of 86 feet and minimum of 56 feet. Four towers 75 feet in height served as quarters for the prison guards and as storage rooms. Situated between the cell block and towers, steel doors isolated the prisoners from the guards' quarters.

Deep within the cell house lay the dungeon, of which a visiting committee in 1931 gave this chilling account: "in the bottom" of the cell house was "the dungeon--a hideous place to throw a man. . . (there) were six of these dungeon cells, right down in the bowels of the earth--mere cold, dark holes cut in stone."³¹ The completion of the cell house met the Prison's urgent need for adequate cell facilities.



Figure 48: Interior of 1912 cell block



Figure 49: "The Hole" 1912 cell block

In 1961 the northwest tower's inside isolation cells, storage areas, and inside were remodeled. From 1960 to 1961, the northeast and northwest towers were converted into educational facilities. The two towers included six classrooms for the inmates and a teacher's office. The two towers also housed the prison's library books.

Power House

Prior to 1912 the power house and coal bunkers rested within the prison walls, a situation deemed dangerous by prison authorities. "To remedy this state of affairs," the state "built a commodious power house outside the prison walls."³² Prison-made brick and reinforced concrete formed the exterior wall of the

73 by 66 foot, one-storied power house. Coal bunkers with a capacity of 360,000 pounds of coal adjoined the power house. An earthen incline, or road, ensured easier transport of the coal to the bunkers. Two concrete retaining walls bordered the incline.

In 1922 the state undertook an extensive renovation of the power house. Prison crews, directed by Dr. George Craven, President of the State School of Mines, overhauled and reset the boilers. The steam pipes were covered with asbestos pipe covering and plastic material. The crews also "put in new arches constructed with plastic fire clay."³³

By 1929, according to a Sanborn Insurance Map, prison crews constructed a plumbing and electric shop, which was adjoined to the power house's engine room.

Concrete Bridge

To the southeast of the Prison a wooden bridge ran across the Deer Lodge River. According to Conley, "the bridge (was). . . necessary for the prison as



Figure 50: Original wooden bridge

all coal and freight is hauled across it."³⁴ But by 1913 the bridge's deterioration rendered it unusable. Conley proposed the construction of a new concrete bridge. The bridge would cost "in the neighborhood of \$1,600," with the Northern Pacific Railroad and Deer Lodge County each contributing one-third of the cost. "On this site," Conley reported in 1914, "now stands a substantial and handsome bridge, 150 feet long and 20 feet wide, with three spans of 50 feet each on a level grade, a necessary convenience for the transportation of material for the prison."³⁵



Figure 51: Concrete bridge 1913

Trustee Bunkhouse

To alleviate the dismal condition of the housing for the trustees, in 1916 "among the improvements made . . . was a building for the accommodation of trustees outside the prison walls."³⁶ Over 200 feet long, the bunkhouse included sleeping quarters, a dining room, and a kitchen. During late 1959 and early 1960, prison crews closed the building's exterior walls and converted it into a laundry.³⁷



Figure 52: Trustee bunkhouse 1916

Prison Theater

The construction of the prison theater in 1919 marked the culmination of Warden Frank Conley's quarter-century effort to revitalize and modernize the Deer Lodge Penitentiary. For Conley, it represented his greatest achievement. "We are pretty proud of this building," Conley proclaimed, "and we think it is one of the nicest houses in the state."³⁸ Conley credited William Andrew Clark's generous financial contributions with making the theater's construction a reality. Clark contributed at least \$10,000.00.³⁹

At Warden Conley's request, a newsman from the BUTTE MINER covered the theater's grand opening. The newsman recorded the best known existing account of the theater's original condition.⁴⁰ According to the BUTTE MINER's account, the seating capacity of the theater was approximately 1,000, with the main floor seating 600, and the gallery seating 400. Initially Conley hoped to secure opera chairs from the surplus of regional theaters, but apparently the effort to secure the necessary seats failed. Conley purchased the seating from local theater supply

companies, with the Rialto Theater Supply Company in Butte the most likely supplier of the chairs.⁴¹ The height of the gallery was 22 feet. The theater's dimensions were 110 by 68 feet, with a height of 35 feet.

"The architectural features of the front," according to the BUTTE MINER, were "of the Renaissance Period and the building is most imposing as it stands in the south end of the yard."⁴² A large balcony was built over the front for the penitentiary band. Brick and cut stone were the building materials utilized for the theater's construction. White stone comprised 85 percent of the front of the structure. The prisoners made the white stone by mixing Portland cement with marble dust. The ceiling was heavily paneled and "had a large octagon skylight covered with stain glass."⁴³

The walls and ceiling of the foyer, or entrance hall, were paneled and the floor was a mixture of



Figure 53: W. A. Clark Theater in Prison 1919



Figure 54: Interior of W. A. Clark Theater

"different colored marble turrazo and cement."⁴⁴ The theater stage was 66 by 20 feet with an orchestral front for the penitentiary band. For opening night a prison inmate painted three back-drop curtains (street scene, wood scene, and scene of Chillon Castle at Lake Lucerne.) A series of Corinthian columns decorated each side of the stage. The stairways to the gallery and balustrade were of cut stone.

During 1919, Warden Conley received an inquiry regarding the name of the theater's architects. "We have no architect," Conley replied "Mr. McCalman just draws a pencil sketch of the building and then goes ahead and builds it."⁴⁵

Within three years, the prison theater underwent extensive renovation. In 1922 the theater was

re-roofed and its ceiling plastered and repaired. "The theater," according to Warden Potter, was "redecorated and painted and speaks volumes for the skill of our inmates."⁴⁶

In 1962 the entire ceiling was replaced and painted. A new concrete floor was laid and covered with tile.

Primarily the theater served as an entertainment facility for the prison inmates and residents of Deer Lodge. Professional touring companies performed free day performances for the prisoners and a night performance for the paying public. Prison officials also encouraged movies and band concerts for the prisoners. The threatened loss of theater privileges enhanced discipline at the Prison. Every Sunday religious services for different denominations were offered for the benefit of the inmates.

In 1931 a visiting committee left its testimony to the theater's grace.

The interior of the building is beautifully decorated by an inmate, or one-time inmate of the pen. His name is Ellis John and much ability is shown in his efforts. On the screen is a picture of the "Last Supper" and it is a delight to gaze upon. All around the walls and in the lobby hang painted pictures, mostly of rural and country scenes. The theater is a credit to the institution.⁴⁷

Ironically, the committee also maintained that "the fire hazard in this building is pretty low."⁴⁸ A fire destroyed the prison theater on December 3, 1975.

Inside Administration Building

After Frank Conley's dismissal in 1921, prison construction ceased. In 1927 the Montana Legislature authorized \$40,000.00 for the installation of the auto license plate and garment factories. But prison officials gutted the inside of the old Federal Penitentiary rather than build a new facility. In 1931, the original Federal Penitentiary structure was demolished.

A new inside administration building replaced the Federal Penitentiary in 1932. J. G. Link designed the structure. Warden Austin Middleton relied upon prison work crews in its construction.⁴⁹ The construction crews utilized building material from the old Federal Penitentiary to connect the administration building with the 1896 and 1912 cell houses.⁵⁰

According to the initial plans, "the new building . . . would . . . have the kitchen in one end and the laundry on the other, while downstairs, underneath



Figure 55: "Last Supper" backdrop painted by Ellis John

a. . .basement would be a dining room."⁵¹ Inmates from both cell houses dined in this facility. Between the kitchen and the laundry were the offices and visiting area. Quarters for the guards were in the top floor above the kitchen, laundry, and offices.

Throughout the years the building served as the institution's "hub of. . .security control."⁵² The building included offices for the deputy warden, captain, chaplain, and for the inside identification facility.

Due to an acute cell shortage, in 1959 prison crews converted the dining room into an inmate dormitory. The dormitory housed 90 to 110 prisoners. Its showers, with 28 stalls, served the dormitory and the 1912 cell house. The basement functioned as a dormitory until 1969, when it became a hobby shop-recreational complex. The building contained



Figure 56: Interior yard (1935 hospital, 1912 cell block, 1932 administration building, yard guard towers)



Figure 57: Inmate dormitory in the administration building basement, ca. 1960

a hobby shop area (leather, beadwork), a T.V. room, a pool room, and other related facilities.⁵³

The Hospital-Industrial Shop Complex

In 1935, prison inmates constructed a J. G. Link-designed hospital-industrial shop complex. The one-storied structure gave the Prison its first modern medical facility. Until 1977, the hospital served as an inmate and surgical hospital, a dental laboratory, a physician's office, and a psychiatric ward. In March, 1977, prison authorities converted the hospital section into a work area. Inmates refinished metal and upholstered furniture in the facility.

Initially, the industrial shop area contained the

auto license plate factory. During the mid-1960s the license plate factory was moved to its present location near the new Penitentiary. It then became an inside construction shop and storage area for the Prison's maintenance crews. It also contained eight detention or punishment cells.

Water Tower

In 1932 a representative from a Seattle branch of Chicago Bridge and Iron Works examined the Prison's water system. The Penitentiary had experienced difficulties with its water system during the 1930s. Apparently, the water pump failed to maintain a constant water pressure and consequently the cell house lacked a proper supply of water. "We believe," the firm recommended, "the solution to your problem is the construction of an elevated water tower at such a height to ensure sufficient pressure at all times."⁵⁴ Chicago Bridge and Iron Works assured Warden Middleton that the water tower would reduce wear on the water pump, supply adequate water pressure, and satisfy any emergency needs. The firm's advice proved persuasive, but the tower's blueprint, dated August 7, 1933, indicates that the beneficiary was the Great Falls Iron Works. The 1938 Sanborn Insurance Map depicts a steel water tank, with a capacity of 92,000 gallons, resting upon a 100-foot steel water tower.

CHRONOLOGICAL
STRUCTURE
HISTORY

1893

HS-1 Prison Wall
Extension built 1912.

HS-1F Tower 2

HS-1G Tower 1

HS-1H Sallyport

1894

*HS-15 Root Cellar

1900

HS-10 Carpenter Shop
1959 - converted to outside dormitory
(earthquake). Pumice block addition
to house.
1962-63 - Dislocated prisoners.
1977 - Towe Antique Car Museum

*HS-16 Store/Butcher Shop/Deputy Wardens
Residence
1959 - Addition to deputy wardens
residence.

*HS-14 Boiler Room/Creamery
1959 - Firehose house added.

Ca. 1908

HS-6 Womens Quarters
Wall enclosure also constructed.
1926 - building repaired and 14 x 30
foot room added for hospital.
Ca. 1959 - converted to maximum
security (private rooms, matron's
quarters, kitchen and dining
facilities removed. 16 to 18
maximum cells installed.)

1908

HS-1E Tower 3

1911

*HS-19 Shed

1912

HS-1A Tower 7 Main Entrance
Concrete base addition 1959.

HS-1B Tower 6

HS-1C Tower 5

HS-1D Tower 4

HS-2 1912 Cell Block
1961 - Northwest tower inside isolation cells,
storage areas, inside remodeled.
1960-61 - Northeast and northwest towers
converted to educational facilities.

HS-4 Power Plant
1922 - extensive renovation, overhauled and
reset boilers, steam pipes covered with
asbestos pipe covering and plastic material,
new arches with plastic fire clay constructed.
1929 - plumbing and electric shop constructed
adjoining engine room.

1913 (1914?)

HS-11 Concrete Bridge

1916

HS-9 Trustee Bunkhouse
Late 1959-early 1960 - exterior walls closed and
converted to laundry, doorways added from
main prison yard.

1918

*HS-13 Central Warehouse

*HS-21 Prison Administration Office

1919

HS-7 Theater

1922 - extensive renovation, reroofed,
ceiling plastered and repaired,
redecorated and painted.

1962 - ceiling replaced and painted,
new concrete floor laid and covered
with tile.

1975 - destroyed by fire.

1920

*HS-18 Wardens Residence

1961 - partially remodeled.

*HS-20 Wardens Garage

1959 - upstairs remodeled for training
office and library.

1929

*HS-21 Registrars Office (added to Prison
Administration Office)

1932

HS-8 Inside Administration Building

Replaced Federal Penitentiary.

Building material from Federal Peni-
tentiary used to connect administra-
tion building with 1896 and 1912
cell houses.

1959 - converted dining room to inmate
dormitory.

1969 - dormitory became hobby shop,
recreational complex.

1933

HS-5 Water Tower

1935

HS-3 Hospital-Industrial Shop Complex

Mid 1960's - license plate factory moved out,
became inside construction shop and
storage area for maintenance, 8 detention
cells.

1977 - converted hospital section to work area.

1937

*HS-19 Greenhouse (added to shed)

1960 - greenhouse rebuilt.

1951

*HS-12 Offices/Guards Dormitory

1959 - lower floor converted to womens
prison.

1960

*HS-17 Deputy Wardens Garage

*Significant structures not part of the Historic
Structures Report.

ARCHITECTURAL ANALYSIS

SITE

The old Montana State Prison is located within the city limits of Deer Lodge on the south side. The existing 4.5 acre site of the main Prison is bounded on the north by Pennsylvania Avenue, the east by Main Street, the south by Conley Avenue, and the west by the Clark Fork River (see Figure 58.) Across Main Street and running along Main Street are several structures that relate to the Prison but will be retained for some time by the State. The structures will be mentioned only in relationship to the main Prison but are not a part of the Structures Report (see Figure 59.)

The main Prison site consists of the granite-capped sandstone wall (HS-1), its six towers and the sallyport. There is a concrete wall attached to the sandstone wall on the west side which contained the Women's Prison Building.

Within the sandstone wall are the main yard and four major structures. They are the 1912 brick and granite Cell House (HS-2) in the northeast corner, the 1935 Hospital Building (HS-3) on the north, the 1931 Administration Building (HS-8) on the east, and the shell of the 1919 W. A. Clark Theater (HS-7) on the south. These structures are positioned along the perimeter of the wall, thus leaving the interior yard open. There is a concrete slab in the southeast corner which was the floor of the gymnasium and school buildings. These metal buildings were moved to the site of the new prison.

On the south sandstone perimeter wall are two door openings which go into the 1916 Industries Building (HS-9) made of cast stone. On the west wall there is an opening through the wall into the yard of the concrete-walled area. Within the yard is a concrete Maximum Security structure (HS-6) which

originally was the 1908 Women's facility.

The main yard contains some recreation areas, a series of horseshoe pits in front of the Theater, a basketball court and shuffleboard courts in the center, and a softball diamond on the north end. The fencing in front of the Theater that was put in after the 1959 riot is being removed along with the concrete slab that was the floor of the metal dining hall adjacent to the Theater, leaving some holes in the yard. There is very little grass left with all the movement of vehicles in the yard during the move to the new prison. The fencing around the Hospital Building and on the north end of the Cell House will remain. The north end of the yard has been filled in with debris from the 1893 Cell House when it was torn down in 1960. A retaining wall was built around the Hospital to protect it from the change in grade (see Figures 60, 61.)

Just outside the wall of the Prison in the northwest corner is the burned-out shell of the 1912 Power Plant (HS-4) with a brick smokestack and a new roof over the boilers. Adjacent to the Power Plant is the 1913 Water Tower (HS-5). On the south is the 1900 brick Carpentry Shop (HS-10) which has been expanded to the west with concrete block and is now used as the Towe Antique Ford Car Collection. The building is connected by an open yard enclosed on the sides with a concrete block wall along Main Street and a concrete block sallyport on the west side. The open yard between the Towe area and Conley Avenue is now used as a parking lot. There is a concrete bridge (HS-11) crossing the Clark Fork River on Conley Avenue. Original cast-iron lamp posts are located in the boulevard on the east and north sides of the sandstone wall.

Across Main Street in the three block area spanning the main Prison wall are the related structures. Starting on the south end and proceeding north in the first block is the brick 1951 Office and Guards' Dormitory Building (HS-12), the brick 1918 Central Warehouse (HS-13), the brick 1900 Boiler Room and Creamery Building (HS-14), and the 1894 Root Cellar (HS-15).

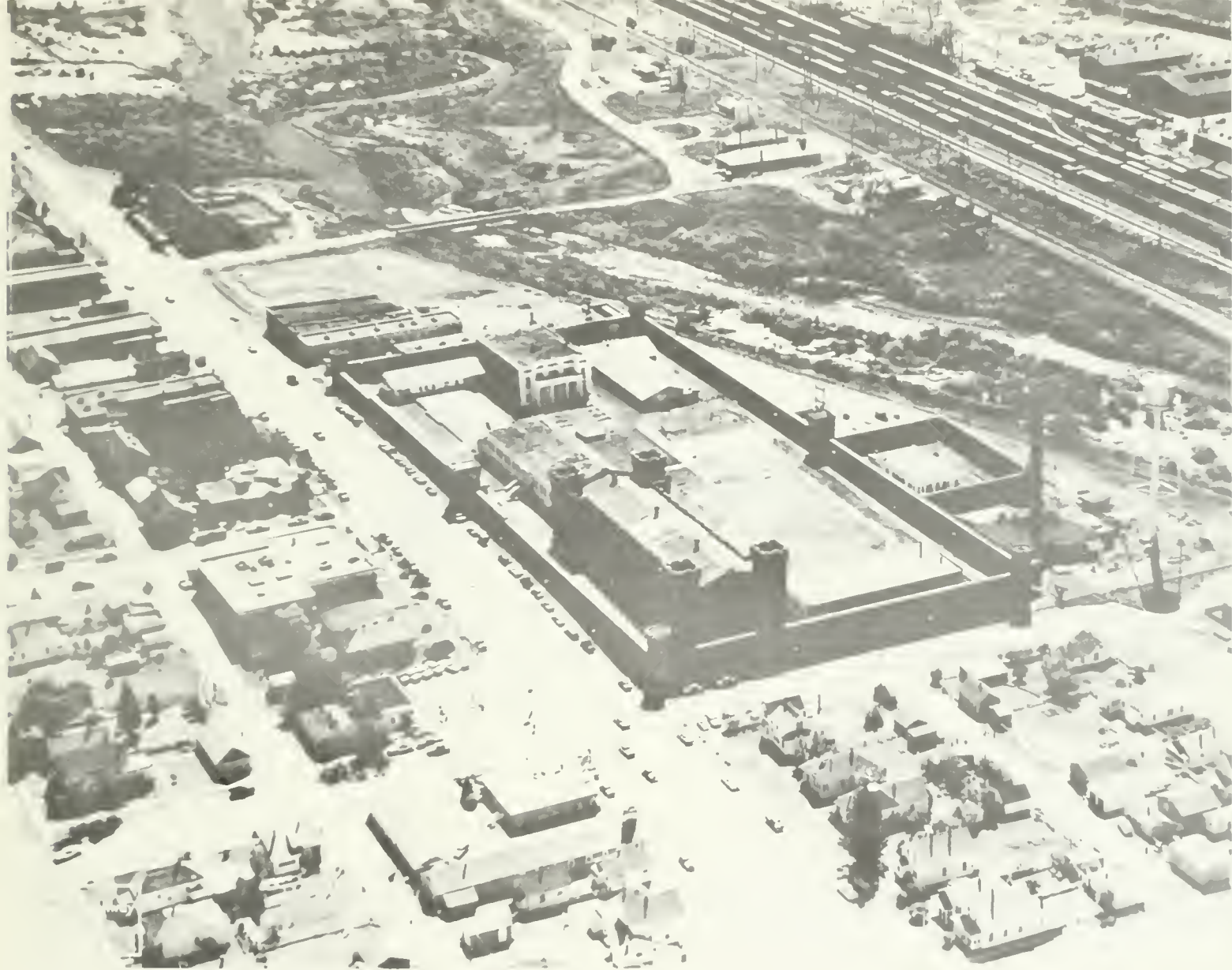
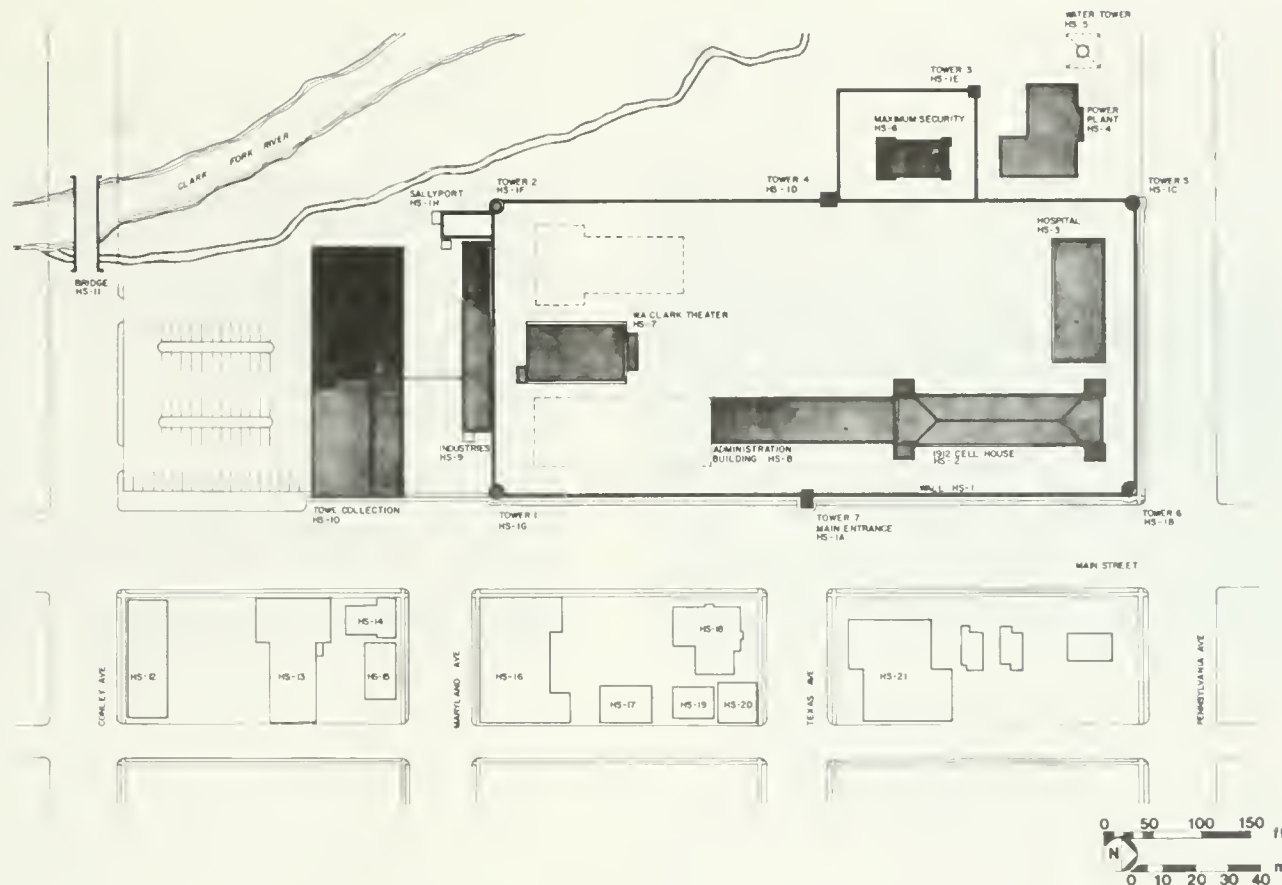


Figure 58: Aerial view of the Montana State Prison Site ca. 1965.

In the second block is the brick 1900 Store, Butcher Shop and Deputy Warden's Residence Building (HS-16), and the brick 1960 Deputy Warden's Garage (HS-17). The wood frame 1920 Warden's Residence (HS-18), wood frame 1911 Shed, 1937 Greenhouse and brick 1920 Garage are on the north end of the block. In the third block is the cast stone 1918 Administration Office and 1929 Registrar of Motor Vehicles Office Building.

LIST OF HISTORIC STRUCTURES (See Figure 59)

HS-1	Prison Wall	HS-7	W. A. Clark Theater
HS-1A	Tower 7 Main Entrance	HS-8	Inside Administration Building
HS-1B	Tower 6	HS-9	Trustee Bunkhouse
HS-1C	Tower 5	HS-10	Towe Antique Ford Car Collection (originally the Carpentry Shop)
HS-1D	Tower 4	HS-11	Conley Bridge
HS-1F	Tower 2	HS-12	Offices/Guards Dormitory
HS-1G	Tower 1	HS-13	Central Warehouse
HS-1H	Sallyport	HS-14	Boiler Room/Creamery
HS-2	1912 Cell Block	HS-15	Root Cellar
HS-3	Hospital-Industrial Shop Complex	HS-16	Store/Butcher Shop/Deputy Warden's Residence
HS-4	Power Plant	HS-17	Deputy Warden's Garage
HS-5	Water Tower	HS-18	Warden's Residence
HS-6	Maximum Security (originally the Women's Quarters)	HS-19	Shed and Greenhouse
		HS-20	Warden's Garage
		HS-21	Prison Administration Office/Registrar's Office



SITE PLAN

OLD MONTANA STATE PRISON

Figure 59: Existing Prison Site Plan.

Removal of the metal
dining building left
an area to be filled.



The grass has
deteriorated
leaving bare
areas.

The concrete
sidewalks are
in good shape.

Figure 60 : Looking southwest at the interior yard.



Site disturbed by
vehicles and under-
ground electrical
work. The grass
has deteriorated in
this area also.

Figure 61 : Looking northwest at the interior yard.

HISTORIC STRUCTURES

HS-1 Perimeter Wall

Description

The main perimeter wall of the Prison with its six towers and sallyport is 300 feet wide and 660 feet long. The main and only entrance is on the east side at tower seven (HS-1A).

The wall, towers and sallyport are made up of local quarried sandstone. The wall is laid up in a random rubble pattern with raised mortar joints on the outside of the wall. The inside of the wall is square cut with raised mortar joints. On the outside are vertical pilasters spaced approximately twelve feet apart. The sandstone wall is capped with granite and sandstone brackets support the edge of the granite. The wall is approximately three feet wide and is approximately 20 feet high and 16 feet high on the south side. There are two doors on the south and west that have panelled wood jambs and metal bar gates.

There are six towers located on the wall. There are four round towers approximately 15 feet in diameter at each corner and two square towers 16 feet square in the centers of the long walls. The towers are two stories in height and are made of sandstone with sandstone parapets on the roof. Granite has been used for the sills of the windows and lintels over the doors and windows.

The original sandstone wall is a yellowish sandstone, whereas the 1912 extension is made of the yellowish sandstone from the original north wall and a dark gray sandstone. Both colors of stone are basically similar except for their differing content of black chert. Both colors of sandstone are from the cretaceous Kootenai formation located in the north end of the Deer Lodge valley. Quarries

have been documented near Garrison. The granite top course and detail rock comes from the Boulder Batholith between Butte and Helena. Quarries have been documented in those areas.

The main entrance, tower 7 (HS-1A) is a square tower with rounded corners on the street side. The entrance door is metal and is framed in a sandstone archway. A concrete addition has been added to the tower on the first floor of the yard side. It has a metal door. The upper floor has fixed wood windows on the west side and double-hung windows on the north and south sides. A security mirror and sloping window have been added to the east side. Two wood-paneled doors with half-lites provide access to the top of the wall. Tower 4 (HS-1D) is similar to tower 7. The four round towers, 1, 2, 5, and 6, are similar with the exception of the windows which are all wood double-hung. Access to all towers is from the street by granite steps with the exception of tower 2 which has a wood stair. All towers have a built-up composition roof.

The interiors of each of the towers retain most of their original building fabric. The interior materials are listed below:

HS-1A Tower 7

Floor: Concrete - historic
Walls: Plaster on brick fill - historic
Ceiling: Plaster on wood lathe - historic
Windows: Wood fixed and double-hung - historic
Doors: Panelled wood - historic
Heater: Gas unit - new
Other: Plastic toilet and sink - new
Tubes to lower level for keys
Metal ladder between levels

HS-1B Tower 6

Floor: Wood - historic
Walls: Plaster on brick fill - historic
Ceiling: Plaster on wood lathe - historic
Windows: Wood double-hung - historic
Doors: Panelled wood - historic
Heater: Gas unit - new

HS-1B Tower 6 (continued)

Other: Plastic toilet and sink - new
Metal spiral stair to lower level

HS-1C Tower 5

Floor: Wood - historic
Walls: Plaster on brick fill - historic
Ceiling: Plaster on wood lathe - historic
Doors: Panelled wood - historic
Heater: Gas unit - new
Other: Wood stairs to lower level

HS-1D Tower 4

Floor: Concrete - historic
Walls: Plaster on brick fill - historic
Ceiling: Plaster on wood lathe - historic
Windows: Wood fixed and double-hung - historic
Doors: Panelled wood - historic
Heater: Gas unit - new
Other: Metal spiral stair
Plastic toilet/sink - new
Doors on lower level to outside and maximum security

HS-1F Tower 2

Floor: Wood - historic
Walls: Plaster on stone - historic
Ceiling: Plaster on wood lathe - historic
Windows: Wood double-hung - historic
Doors: Panelled wood - historic
Heater: Gas unit - new
Other: Wood stairs
Plastic toilet and sink - new

HS-1G Tower 1

Floor: Wood - historic
Walls: Plaster on stone - historic
Ceiling: Plaster on wood lathe - historic
Windows: Wood double-hung - historic
Doors: Panelled wood - historic
Heater: Gas unit - new

HS-1G Tower 1 (continued)

Other: Wood stairs
Plastic toilet and sink - new

The sallyport (HS-1H) is sandstone with a granite cap similar to the main wall with a wood gate on the yard side and a metal bar gate on the outside entrance to the sallyport. Both gates are original. A concrete block wall with roof has been added to the west side of the sallyport to provide a corridor for pedestrians. There are metal doors at each end.

The concrete wall attached to the west side of the Prison is one foot thick with a two foot wide concrete cap. There is a wood frame tower (HS-1E) on the northeast corner with asphalt pitched gable roof. There are wood doors and wood double-hung windows.

The walls, towers, and sallyport are in fair to good condition. They seem to be structurally sound. The concrete wall is in poor to fair condition because of the deteriorated concrete cap and horizontal cracks at the form line. (See Figures 62-77 for special problems.)

The sandstone wall is spalling because of moisture penetration from above.

The granite cap is loose and the mortar in the joints has deteriorated.

The mortar in the granite cap has deteriorated causing water to penetrate into the wall.



The cast-iron light posts are in good shape. The glass globes are all broken except one.

Figure 62: Looking northwest at a section of the east wall, HS-1.



The sandstone brackets under the granite cap have sheared off.

The mortar in the sandstone wall has deteriorated and has fallen out because of moisture penetration from above.

There is also mortar deterioration at the wall base.

Figure 63: Looking west at a section of the east sandstone wall, HS-1.

The sandstone parapet has deteriorated and should be stabilized.



Figure 64: Looking northwest at tower 7, the main entrance, HS-1A.

The roof is leaking and needs to be resealed.



Figure 65: Looking southeast at tower 7 from the inside yard, HS-1A.

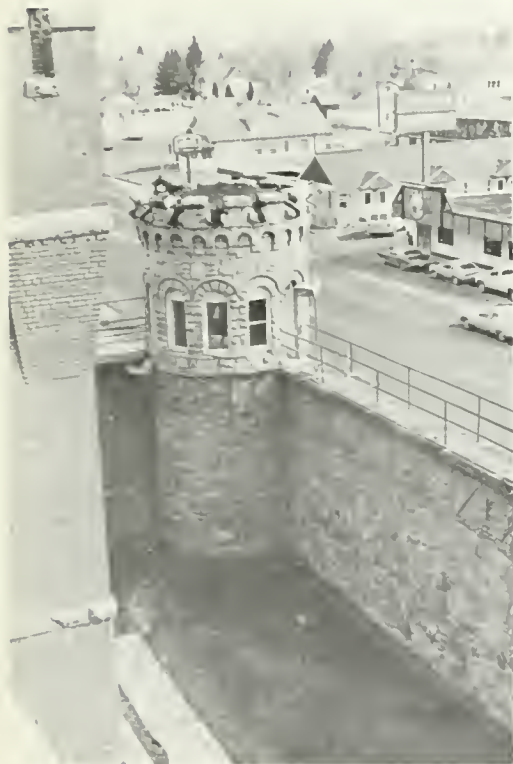
The windows and doors need to be reworked and painted.

The paint is peeling around the interior wall entrance door.

Water has penetrated the wall causing clay deposits in the sandstone to expand and spall the sandstone face.

The roof is leaking
and needs to be
resealed.

The sandstone parapet has
deteriorated and should
be stabilized.



Double-hung
windows have
been replaced
with single
fixed units.

The exterior
steps need to
be stabilized.

Figure 66: Looking northeast at tower 6 from the
inside yard, HS-1B.

The roof is leaking
and needs to be
resealed.

The sandstone parapet
has deteriorated and
should be stabilized.



The windows
and doors need
to be reworked
and painted.
Broken glass
needs to be
replaced.

All electrical
lights and
heating equip-
ment are going
to be removed
by the State.

Figure 67: Looking northeast at the exterior entrance
to tower 5, HS-1C.

The roof is leaking
and needs to be
resealed.

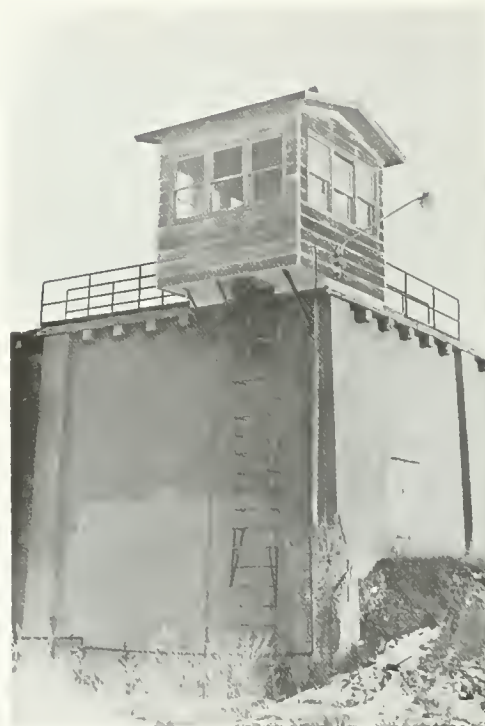
The sandstone parapet
has deteriorated and
should be stabilized.



The doors and windows
need to be reworked
and painted. Broken
glass needs to be
replaced.

Figure 68: Looking northwest at tower 4, HS-1D.

The tower roof
needs to be
replaced.



The paint has
weathered off
the exterior.

The doors and
windows need
to be reworked
and painted.
Broken glass
needs to be
replaced.

The concrete
wall around
the maximum
security wing
is deterior-
ating on the
top and bottom.

Figure 69: Looking southeast at tower 3, HS-1E, and
the maximum security wall, HS-1.

The roof is leaking
and needs to be
resealed.

The sandstone parapet
has deteriorated and
should be stabilized.

The lights
and heating
systems are
being re-
moved by
the State.



Figure 70: Looking southwest at tower 2 from the inside yard, HS-1F.



The exterior wooden
stairs are very
unstable.

The doors and windows
need to be reworked
and painted. Broken
glass needs to be
replaced

Figure 71: Looking west at tower 2 from the top of the wall, HS-1F.

The roof is leaking
and needs to be
resealed.



Figure 72: Looking east at tower 1 from the
inside yard, HS-1G.

The sandstone parapet
has deteriorated and
should be stabilized.



Figure 73: Looking north at the exterior entrance
to tower 1, HS-1G.

The doors
and windows
need to be
reworked and
painted.
Broken glass
needs to be
replaced.

The lights and
heating systems
are being re-
moved by the
State.

The concrete
block wall
was added in
the 1960's and
butted up
against the
sandstone wall.

The sandstone
base of the
steps is
deteriorating.



Figure 74: Looking south at a gate in the south wall, HS-1.

The wood doors are starting to deteriorate because of the weathering of the paint.



Figure 75: Looking north at a gate in the south wall, HS-1.

The wood-panelled sides of the openings need to be painted.

The sandstone above the gate has deteriorated and has been filled in with a cement wash.

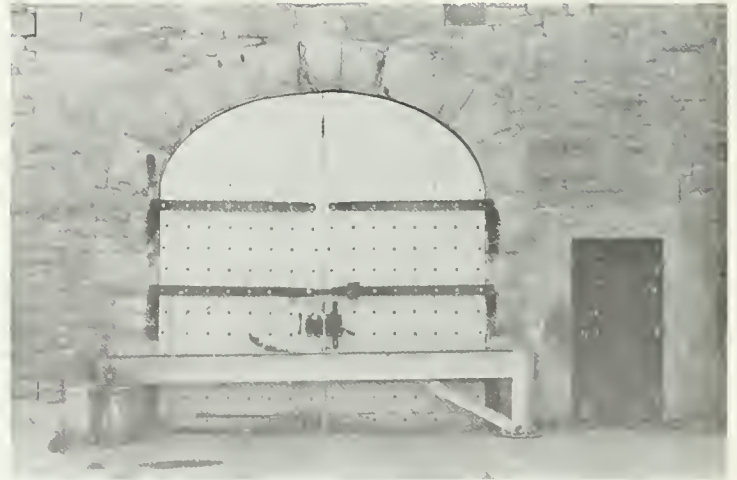


The metal gate is in good shape.

A recent concrete and concrete block structure has been butted against the sandstone wall.

Figure 76: Looking north at the exterior gate of the sallyport, HS-1H.

The wood doors are in good shape but need to be painted.



The metal hinges have caused some staining of the sandstone.

The pedestrian door in the sallyport needs to be painted.

Figure 77: Looking south at the interior yard doors of the sallyport, HS-1H.

Description

The 1912 cell house is a four-story brick structure with four corner towers. This structure of all within the Prison complex maintains its impressive architectural significance in the integrity of style, design, workmanship, and use of materials.

The granite base gives a sense of solid foundation to the structure. The use of granite to accentuate the entranceways into the structure gives the building a formidable appearance. Granite was also used in the brick walls as lintels, sills, and as a belt course to break up the large expanses of brick. The parapet wall on the main structure and towers also is capped with granite.

The large wood double-hung windows give a sense of verticality to the structure and work that way because they relate to the large interior space and not to the individual cells.

The details of the stone and brickwork give this structure a high degree of material and craftsmanship integrity.

The interior of the structure consists of a large open room with a center section of cells within the space of the building. The cells are of concrete and rise four tiers above the floor of the building. There are two hundred cells in the cellblock, eight tiers of 25 cells apiece. There are one hundred cells on the east and one hundred cells on the west.

The cells are all 6' x 8' x 8', made of concrete, and have cold running water in a sink, a toilet and two metal bunks that are attached to a wall. There is a mechanical chase between the east and west tiers of the cells. This chase contains all the plumbing and electrical for each cell.

The main structure is open, up to the concrete slab of the roof, without any interruptions. There are two guard cages, one in the northwest corner and one in the southwest corner with a metal catwalk which connects the cages. The catwalk and cages are located on the outer wall of the structure at the second cell level. A fence encloses the catwalk and cage, added after the 1959 riot.

The materials used in the interior of the cell house are as follows:

Main Structure

Floors: Concrete - historic
Walls: Plaster - historic
Ceiling: Concrete - historic
Doors: Wood/metal - historic
Heating: Central steam
Lighting: Incandescent - historic/new

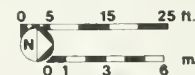
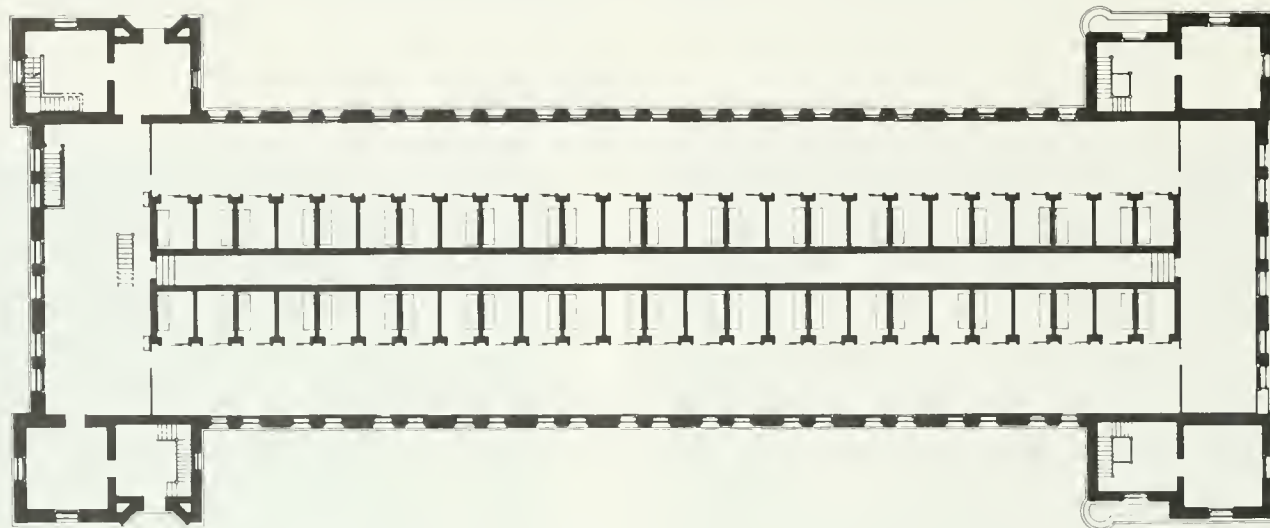
Cells

Floor: Concrete - historic
Walls: Concrete - historic
Ceiling: Concrete - historic
Doors: Iron bars - historic
Heating: Central steam
Lighting: Incandescent bulbs - historic
Other: Toilet/sink - historic
Two metal bunks - historic

Towers

Floor: Concrete - historic
Walls: Plaster - historic
Ceiling: Plaster - historic
Doors: Wood/metal - historic
Heating: None
Lighting: Incandescent - historic

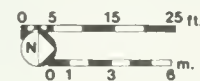
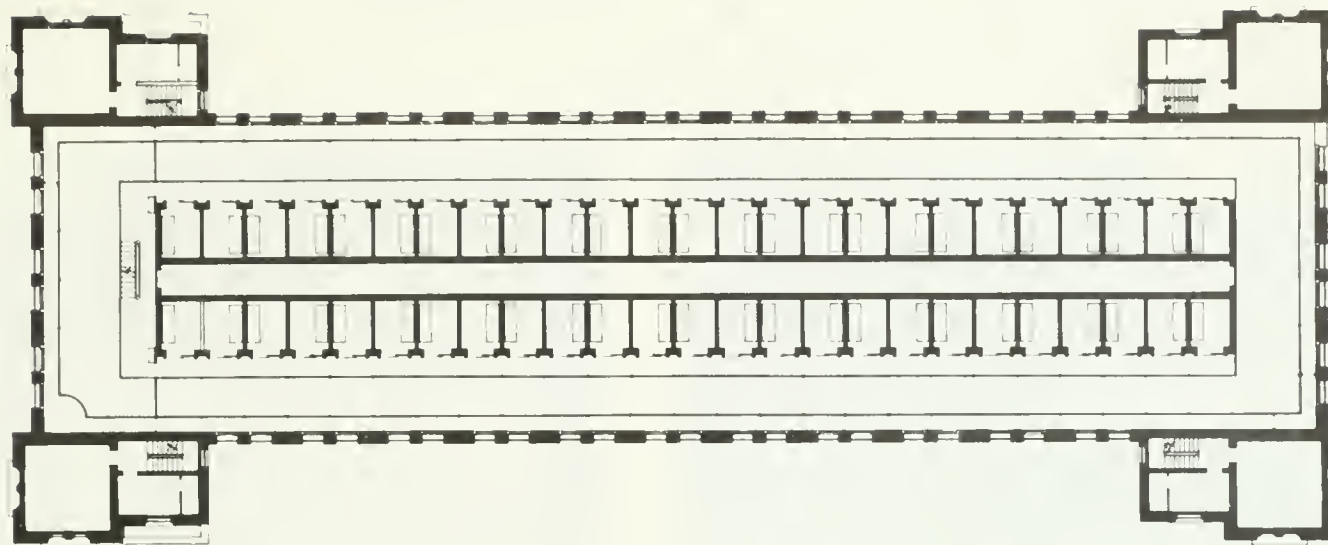
The structure is in fair to good condition with the problem areas being moisture penetration into the walls from leaks in the roof and interior roof drains. Also because of no heat in the structure after September 1979, condensation has caused the walls to start peeling paint. The roof and parapets are in very bad shape and there is very little glass left in the windows (see Figures 78-89.)



MAIN FLOOR PLAN

1912 CELL BLOCK

Figure 78: First floor plan - Cell house, HS-2.



TYPICAL UPPER FLOORS

1912 CELL BLOCK

Figure 79: Typical upper floor plan - Cell house, HS-2.

There is some moisture penetration in the walls because the roof leaks.

The windows and doors need to be reworked and painted. Sixty to seventy percent of the glass is broken.



The brick and granite on the walls are in good shape. There is one area in the tower to the left which has a hole left by a bazooka shell.

Figure 80: Looking northeast at the cell house, HS-2.



The brick and granite has become dirty over the years but not enough to cause problems.

Figure 81: Looking east at the main entrance of the cell house, HS-2.

Heavy mesh wire covers
the original catwalk
and guard cages.

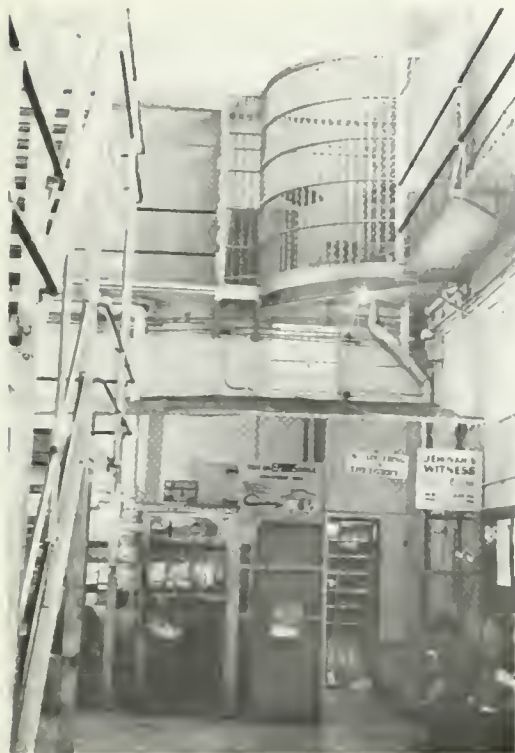


Figure 82: Guard cages in cell house, HS-2.

Some of the top bunks
will be removed by the
State for the new prison.



The sliding
doors have to
be maintained
to remain
operable.

The concrete
floors, walls
and ceilings
are painted.

Figure 83: Typical cell in the cell house, HS-2.



Locking
mechanism
needs to be
maintained.

Figure 84: Locking mechanism at each gallery in the cell house, HS-2.



Figure 85: Brass plate of company supplying the original cells in the cell house, HS-2.

With no heat in the building the paint on the cell walls is peeling, because of condensation.



The water to the sink and toilet have been turned off but have not been drained.

Figure 86: Winter deterioration of a typical cell in the cell house, HS-2.

With no heat in the building the paint on the main cell house walls is peeling, because of condensation.



The roof drains in the exterior wall have frozen, splitting the metal pipe and forcing the brick and plaster out of the wall.

Figure 87: Winter deterioration of the cell house wall, HS-2.

The granite and brick parapets are deteriorating because of moisture penetration from water building up on the roof.



Figure 88: Looking north along the parapet wall and roof of the cell house, HS-2.

The built-up roof material has deteriorated causing roof leaks.



The tower roofs are in similar shape.

Figure 89: Looking north along the roof of the cell house, HS-2.

HS-3 Hospital

Description

The hospital building is a one-story reinforced concrete structure with a stucco finish. There is a flat built-up roof over a concrete slab. Large metal industrial windows with small panes break up the facades. The doors are metal. There is a concrete foundation with a concrete floor slab.

The interior of the building has been extensively altered from when it was used as a hospital. The spaces have been enlarged to accomodate various industries (i.e., upholstery, toy shop, carpentry shop.) Additional disciplinary cells were put in the central portion of the building. The interior materials include the following:

- Floors: Vinyl tile - new
- Walls: Gypsum board/concrete block - new
- Ceiling: Plaster - historic
- Doors: Wood - new
- Heating: Central steam
- Lighting: Flourescent - new
- Incandescent globes - historic

The building is in good condition with the exception of some of the interior spaces in the east end where walls have been removed (see Figures 90 and 91.)

HS-4 Power Plant

Description

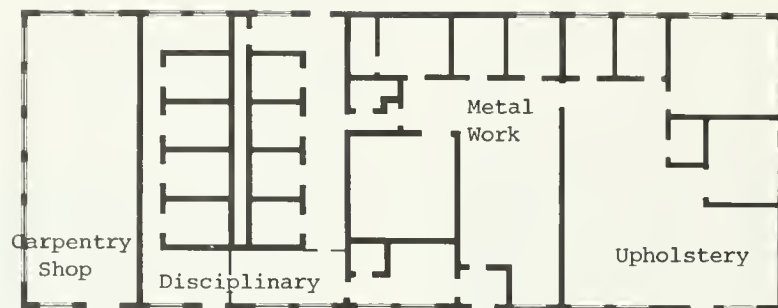
The power plant is mostly burned-out with the brick walls sticking up here and there. The central portion over the boilers was reroofed with a wood frame structure and asphalt shingles.

The brick smokestack rises over the ruins of the plant. The plant was still used as the main heating source for high pressure steam throughout the prison complex until the site was vacated.

The interior materials include the following:

- Floor: Concrete - historic
- Walls: Brick - historic
- Ceiling: Plywood - new
- Doors: Wood - new
- Lighting: Incandescent - new

The structure is in poor condition because of the deterioration of the walls. The smokestack, though, is in good condition (see Figure 92.)



PLAN

HOSPITAL

Figure 90: Plan - Hospital, HS-3.

The built-up roof needs
to be resealed.



The walls are in
good shape.

The doors and windows
need to be repainted.
Some glass is broken.

*Figure 91: Looking north at the industries/hospital
building, HS-3.*

The brick smokestack
is in good shape.



The brick walls
of the burned-
out section are
exposed to the
weather and are
deteriorating.

*Figure 92: Looking northeast at the power plant and
stack, HS-4.*

HS-5 Water Tower

Description

The steel Water Tower is over 100 feet high with a 100,000 gallon tank on top. The tank is supported by four steel columns anchored to concrete piers. The tower was the only source of water for the Prison after 1933. The tank is in good condition and has been drained to keep it from freezing (see Figure 93.)

HS-6 Maximum Security

Description

The Maximum Security structure is a one-story reinforced concrete building. The concrete flares out at the corners to suggest a base for corner towers. The walls extend up past the roof line to form a cornice on three sides. The built-up roof slopes to the open side. All of the windows were filled with concrete during the conversion from the women's facility. Only two wood fixed windows still exist in the southwest corner of the structure.

There is a wood frame structure attached to the east side of the building that was used as the visiting room for inmates in the maximum security section.

The interior of maximum security was completely altered from the living room, kitchen, bedroom situation to 24 maximum security cells. The cells are made of concrete block and a sheet metal ceiling was put in to lower the height of each cell space.

The doors are made of iron bars with a heavy woven mesh welded to the face of the bars. A fabricated

masonite and wood door covers the opening to block out light and noise. There is a steel bar cage in the center of the space to allow a guard visual supervision and protection.

The interior materials are as follows:

Floor: Vinyl tile - new
Wall: Concrete - new, Concrete block - new
Ceiling: Hall-acoustical tile - new
Cells-metal - new
Windows: None except two fixed in back
Doors: Wood paneled with metal bar door over it
Heat: Central steam

The building is in fair condition. The outside cement wash is spalling. The roof is leaking. There is a diagonal crack in the northeast corner of the wall but it is structurally sound. The interior is starting to deteriorate because of no interior ventilation to keep the humidity level down (see Figure 94.)

The metal tower is
in good shape.



Figure 93: Looking north at the water tower, HS-5.

The roof is leaking
and needs to be resealed,
especially around the
skylights.



The metal doors are rusting
and need to be painted.

The cement wash is
spalling off the
exterior walls.

Figure 94: Looking southeast at the maximum security
building (formerly the womens prison) HS-6.

Description

The W. A. Clark Theater is a two-story structure with five bays across the front facade. Each of the bays is accentuated by cast stone pilasters on each side of the bay. The central three bays that are the main entrances to the theater are recessed and become part of the entrance portico. The portico is also cast stone. On the sides of the building approximately 20 feet apart are additional cast stone pilasters with brick in between.

There are no doors in the entrance and the interior is completely gutted because of the fire. The walls are unreinforced solid brick and manufactured stone masonry units which are unsupported for their full height on the east and west. The stage structure on the south and the entrance structure on the north support those ends. A built-up roof of steel decking and steel joists are supported by the masonry wall. The roof added after the fire does not adequately brace the walls of the theater.

The walls of the theater are in good condition but without adequate bracing would not meet necessary codes. The concrete floor is in bad condition.

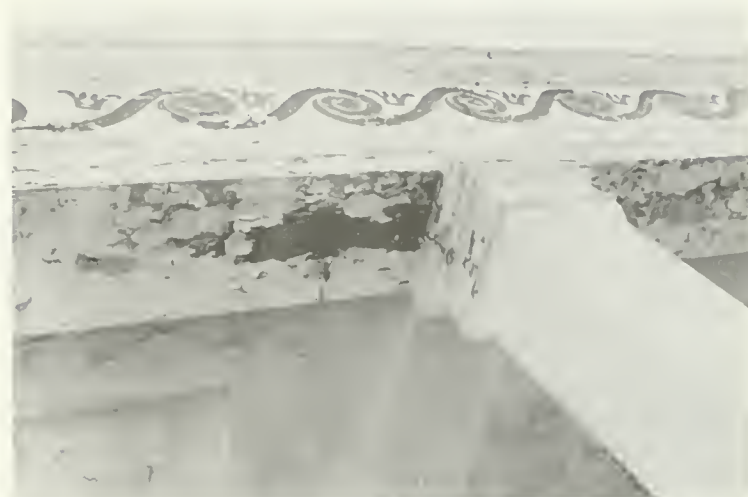
The structure is essentially a shell with a temporary metal roof to protect the interior of the space.

The metal joists and metal roof were added after the fire that gutted the interior. The roof was added to protect the remaining structure.



The exterior walls and front portico are the only remains of the original structure. The doors and windows are also gone.

Figure 95: Looking southwest at the theater, HS-7.



The paint is peeling off the "cast stone" and concrete front.

Figure 96: Looking at the underside of the theater portico, HS-7.

HS-8 Administration Building

Description

The Administration Building is a one and one-half story reinforced concrete structure with a cement wash finish. There is a flat built-up roof over a concrete slab. The floors and foundation are also reinforced concrete. The windows are metal industrial awning windows on both floors. Steel bars cover all the openings. There are wood and metal doors with steel bar gates on the outside.

The main entrance to the Administration from the street is at the entrance of tower 7. There are three stairways to the yard from the structure with the central stair the main entrance.

The north end connects to the Cell House which allowed inmates into the library and school on the upper floor and access to the showers, chapel, and recreation room in the lower level. There is no access from these areas to the rest of the building on the upper floor. On the south end are the stairs which once connected the areas to the 1893 cell house which was taken down.

The interior of the space has gone through some alterations since it was first built. The lower level was converted from a dining room, to dormitory, to the existing recreational area with showers and a chapel. There is a tunnel along the east wall accessible from tower 7 which was used by guards to get to all areas of the Administration building or Cell House in case of trouble.

The interior materials include the following:

Lower Floor

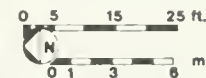
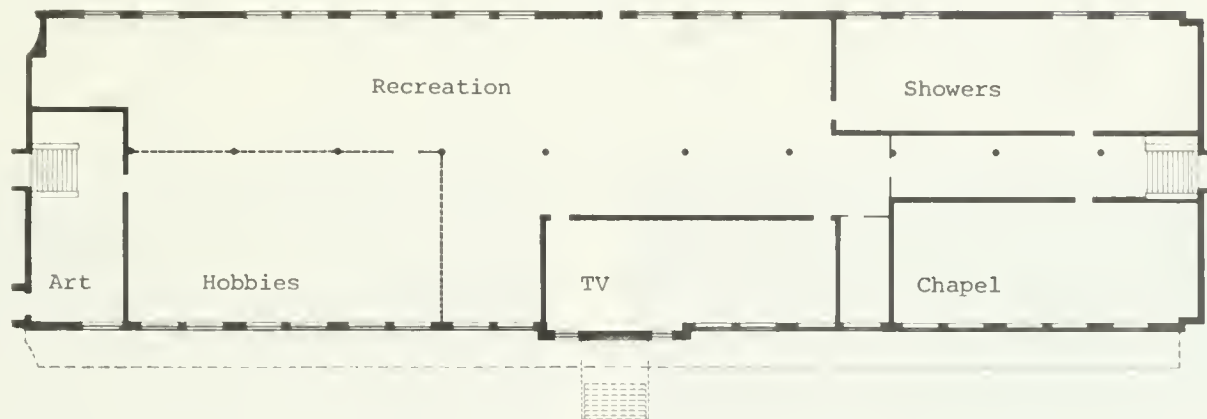
Floor: Vinyl tile - new
Walls: Concrete - historic
Concrete block - new

Ceilings: Concrete - historic
Doors: Wood - new and historic
Chapel and shower have original wood doors
Heating: Central steam
Lighting: Flourescent - new
Incandescent globes - historic

Upper Floor

Floor: Vinyl tile - new
Walls: Plaster - historic
Wood paneling - new
Ceilings: Plaster - historic
Acoustical tile - new
Doors: Wood - new
Heating: Central steam
Lighting: Flourescent - new
Incandescent globes - historic

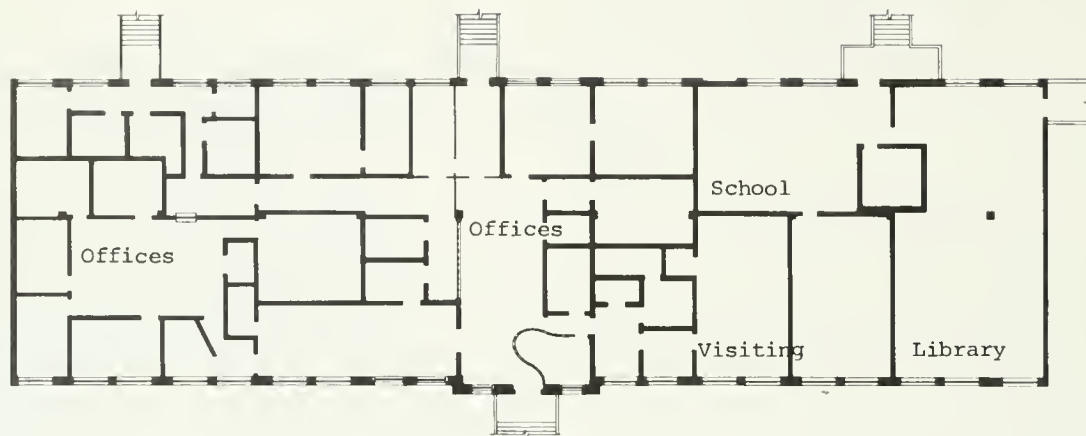
The building is in fair to good condition with the main cause of deterioration being water leaking off the roof or from frozen roof drains. This has caused some paint to peel and some ceiling and floor tile damage. The exterior wall surface is spalling and the concrete steps in all instances are in bad shape (see Figures 97-100.)



LOWER FLOOR PLAN

ADMINISTRATION BUILDING

Figure 97: Lower floor plan - Administration, HS-8.



UPPER FLOOR PLAN

ADMINISTRATION BUILDING

Figure 98: Upper floor plan - Administration, HS-8.

The paint is peeling and
the cement wash is spalling
off the exterior surface.



The windows are broken
in some areas and need
to be repainted.

The concrete on steps
is spalling.

Figure 99: Looking northeast at the administration building, HS-8.

The roof is leaking
and needs to be resealed.



The roof drains are
broken causing interior
water damage.

Figure 100: Looking south at the roof of the administration building, HS-8.

HS-9 Industries Building

Description

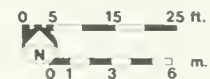
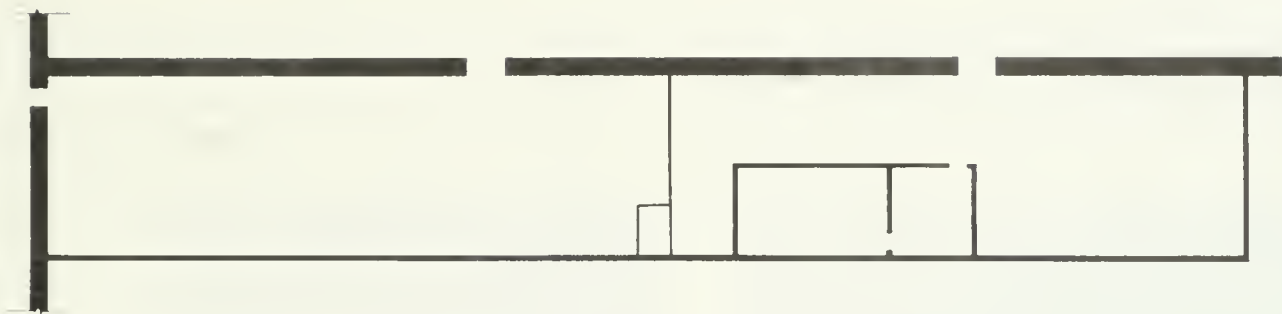
The Industries Building is a one-story cast stone structure just outside the sandstone wall on the south side. Access to the building is through the wall at two points. The original wood doors and iron bar gates that cover them are still there. The doors on the south side were filled with concrete in 1959 when the Prison only wanted access from the interior yard. There is a steel door on the west end to the interior of the sallyport. Most of the fixed metal windows have been covered with metal plates.

The wall surface is made of cast stone, a process whereby cement was formed into shapes that resembled stone blocks. Even the lintels and window sills, and roof wall cap are of cast stone. The roof is a built-up flat roof over a concrete slab.

The interior has been altered considerably since the building became a laundry. The space is essentially gutted with the exception of some concrete block walls and frame portions. The interior materials are as follows:

- Floor: East half - concrete - historic
- West half - terrazzo - historic
- Walls: Plaster - historic
- Concrete block and wood frame - new
- Ceiling: Plaster - historic
- Doors: Wood/metal - historic
- Heating: Central steam
- Lighting: Fluorescent - new

The building is in good condition with the exception of some minor roof leaks. The interior plaster is in poor shape in some areas especially along the walls where the laundry was located in the west end (see Figures 101-103.)



PLAN

INDUSTRIES BUILDING

Figure 101: Plan - Industries Building, HS-9.

The "cast stone" and mortar are deteriorating along the base and corners of the structure.



The doors to the exterior have been concreted in and the windows sealed with metal plate.

Figure 102: Looking northeast at the industries building, HS-9.



The doors need to be reworked and painted.

Figure 103: Looking south at the industries building entrance from the yard, HS-9.

Description

The Towe Antique Ford Collection building is a one-story brick structure with a corbelled brick cornice with recessed panels at the top of the wall. The main entrance brass and glass doors are new to the structure even though they were original doors from a bank in downtown Deer Lodge. Some of the windows have been boarded up but the wood double-hung windows are still visible near the entrance.

On the west side of the structure is a concrete block addition that doubles the building space. A built-up flat roof covers the whole structure.

The interior has been completely altered for the museum. The interior materials are as follows:

Floor: Concrete - historic/new
Walls: Plaster - historic
Concrete block - new
Ceiling: Acoustical tile - new
Doors: Metal/wood - new
Heating: Unit gas heaters
Lighting: Fluorescent - new

The building is in good shape with the exception of a few roof leaks and spalling of brick on the south wall (see Figure 104.)

Description

The Conley Bridge crosses the Clark Fork River on Conley Avenue just south of the Prison. The structure is made from reinforced concrete with piers extending up into the wall of the sides of the bridge. The beams in between have been recessed to give a pattern to the surface of the bridge.

The structure is in fair condition with spalling of the concrete surface and deterioration of the concrete piers in the river.

The brick is in good condition except for the south wall where there is mortar deterioration and spalling of the brick face.



Some of the windows and doors have been filled in, and there is a concrete block addition on the back.

The concrete block wall is a later addition and abuts against the brick.

Figure 104: Looking southwest at the carpentry shop, now a museum, HS-10.

The concrete is spalling off of the face in some locations.



There is deterioration of the concrete piers in the river.

Figure 105: Looking northwest at the Conley Bridge, HS-11.

PRESERVATION
RECOMMENDATIONS

OBJECTIVE

The existing structures at the old Montana State Prison with few exceptions have maintained their original appearance. They have not been maintained over the past few years, and therefore are in need of repair as outlined under the previous section. It would be wrong to just let the buildings deteriorate. The local, state, and national significance of the old Montana State Prison makes it one of Montana's most important historic sites; thus, its integrity has to be maintained for the people of Montana.

In order to maintain its integrity, plans for interpretation, stabilization, restoration and reuse will have to be implemented.

The plan for interpretation of the site is based on more than 100 years of history and change in the prison site and the penal system of the Territory and State of Montana.

The plans for stabilization of the site and buildings are based on the need to keep the existing artifacts in as good shape as possible. This will be done so that the historic site will maintain the integrity that was built into it when the structures were originally constructed.

The plans for restoration of the site consist mainly of the need to rebuild the theater. The significance of this structure justifies its restoration. As far as the rest of the site is concerned, there is a need to restore the integrity of the sandstone wall by the removal of the concrete block wall at the south end of the site. The rest of the wall and structures have retained their integrity and need only stabilization. There is also a need to restore the integrity of the yard by replacing the gardens, walkways, and interior guardhouses. There is no

need to reconstruct any of the original buildings, nor is it feasible to do so. But the restoration of the yard will give the site the integrity it had when the structures that exist today were the only ones there.

The reuse plan is based on the need to reuse some of the structures (e.g., hospital HS-3, theater HS-7, administration building HS-8, laundry HS-9, and carpentry shop HS-10 now being used for the Towe Antique Ford Collection) for new purposes that do not change the integrity of the site. With this reuse the structures should be well-maintained, and some income will be provided to maintain and operate the rest of the site.

With these plans in mind the architectural and historical significance of the site can be maintained and its integrity restored.

The work required to adequately stabilize, restore and reuse the structures at the old Montana State Prison is to be divided into three phases. The first phase includes work necessary to keep the structures from further deterioration because of problems that exist at this time. The second phase would be stabilization of structures to restore the integrity of the site even though there are not major deterioration problems at this time. The third phase would encompass projects that would help in the reuse and interpretation of the site as a major historic site.

Phase I Stabilization

HS-1 Wall

Preservation Recommendations
Stabilize/interpret

Work To Be Done

Remove concrete block wall - south end
Seal joints in granite cap - cut and repoint
Repoint sandstone
Repair concrete wall

HS-1A - 1G Towers

Preservation Recommendations
Stabilize/interpret

Work To Be Done

Seal roofs
Stabilize and repoint parapet
Repair wood steps - SW tower
Repair granite steps - NE tower
Repair glass/doors
Paint all exterior woodwork including HS-1E
maximum security tower
Repair interior plaster
Paint interiors

HS-1H Sallyport

Preservation Recommendations
Stabilize/interpret

Work To Be Done

Stabilize and repoint wall

HS-2 Cell Block

Preservation Recommendations
Stabilize/interpret

Work To Be Done

Repair roof
Repoint parapet wall
Repair glass
Repair water damaged areas with plaster
Paint windows (interior/exterior)
Paint interior walls

Phase II Stabilization

HS-3 Hospital

Preservation Recommendations
Interpret/reuse

Work To Be Done

Roof repair
Adapt interior to new use

HS-4 Power Plant

Preservation Recommendations
Interpret/abandon

Work To Be Done

Stabilize walls

HS-5 Water Tower

Preservation Recommendations
Interpret/sell to city
Retain on site

HS-6 Maximum/Women's Prison

Preservation Recommendations
Stabilize/interpret

Work To Be Done
Roof repair
Seal windows/doors
Paint exterior and touch-up paint interior

HS-9 Guards' Barracks

Preservation Recommendations
Stabilize/interpret

Work To Be Done
Restore windows/doorways on the south
Repair roof
Adapt interior to new use

HS-10 Towe Collection

Preservation Recommendations
Existing reuse/interpret

Work To Be Done
Remove red paint
Repoint brick

HS-11 Bridge

Preservation Recommendations
Existing use

Work To Be Done
Maintain, patch and repair

Phase III Major Building

HS-7 Theater

Preservation Recommendations
Restore/reuse/interpret

Work To Be Done
Restore interior space
Stabilize and restore exterior
Adapt to a community theater

HS-8 Administration

Preservation Recommendations
Interpret/reuse

Work To Be Done
Repair roof
Repair facade/paint
Repair steps
Adapt interior to a new use

Site Improvements Outside Wall

Parking
Landscaping
Utilities

Site Improvements Inside Wall

Overall clean-up
Utilities
Landscape - original
Walkways - original
Yard towers - original

Exhibits for Interpretation

SPECIFICATIONS

PART 1: GENERAL

1-1 DESCRIPTION: The work of this section consists of removal of concrete slab; backfill, fill; grading; and other incidentals necessary to prepare the site for grass seeding.

1-2 JOB CONDITIONS:

A. Site Data: Bidders are expected to examine the site and structure to determine the character of materials to be encountered and the nature of the work in general.

B. Landscape Preservation: Take special care to maintain natural surroundings undamaged. Restore any landscape feature as nearly as possible to its original condition at no cost to the owner.

C. Structure preservation: Take special care not to damage the adjacent structures. In case of damage the structure will have to be restored at no expense to the owner.

PART 2: MATERIALS

2-1 FILL: Secure approval of all fill material.

A. Earth: For use in backfill and site grading. Free from all debris subject to termite attack, rot, corrosion, and all other deleterious materials. Stones larger than 4-inch maximum dimension shall not be permitted in the upper 6 inches of fill material.

2-2 TOPSOIL: Approximately 4 inches of material free from all debris and with no stones over ½ inch in diameter.

PART 3: EXECUTION

3-1 CONCRETE SLAB REMOVAL:

A. Completely remove the concrete slab in the southwest corner of the yard, and haul from site to appropriate dump site.

3-2 SITE GRADING:

A. Rough Grading: Use earth as specified in 2-1A. Scarify and moisten existing ground so first layer of fill will bond to it. Deposit loose fill in successive horizontal layers to a maximum depth of 8 inches under surfaced areas. Spread evenly and compact each layer by uniform rolling or tamping, using power rollers, sheeps-foot rollers, machine tampers, or other approved equipment, to 95 percent maximum density at optimum moisture content. Place

no fill on subgrade that is muddy, frozen, or contains frost. Rough grade to within 4 inches of finished grade unless otherwise indicated. Excavated and filled sections and adjacent transition areas shall be reasonably smooth, compacted, and free from irregular surface changes. The degree of finish shall be that ordinarily obtainable from either blade grader or scraper operations. Unless otherwise indicated, slope subgrade evenly to provide drainage away from buildings in all directions at a minimum grade of ¼-inch per foot.

B. Finish Grading: Use topsoil for final grading as specified in 2-2. Feather the final grade smoothly to blend with adjacent ground shapes to produce continuous harmonious lines in the finished work.

PART 1: GENERAL

1-1 DESCRIPTION: The work of this section consists of all work required for repointing and repair of masonry walls.

1-2 PROJECTS FOR THIS WORK:

All brick and stone work.

1-3 SUBMITTALS: Submit dry samples of pointing mortar to be used and physical examples of wall ties and other related hardware to be used.

1-4 QUALITY ASSURANCE: Standards as established by American Society for Testing and Materials and manufacturers' printed recommendations, as amended, latest editions, govern the work of this section.

1-5 PRODUCT HANDLING: Store mortar materials in a dry place under cover to prevent damage, permitting air circulation. Space in outbuildings can be provided by owner but responsibility for protection and proper storage is the Contractor's.

PART 2: MATERIALS

2-1 STONE: Existing sandstone and granite.

2-2 BRICK: Existing brick.

2-3 MORTAR MATERIALS:

A. Lime: ASTM C207, Type S high plasticity.

B. Portland Cement: ASTM C150, Type II white.

C. Sand: To match color and size of existing mortar and conform to ASTM C 144. Sand shall be thoroughly washed to remove any impurities that might reduce the strength or bonding effectiveness of the mortar.

D. Water: Potable.

2-4 CLEANING MATERIALS:

A. Water: Potable (if heated, 100 degrees F. maximum).

B. Brushes: Stiff fiber or non-ferrous wire.

C. Spray Equipment: Approved suitable for spray at 160 p.s.i. (pressure 150 p.s.i. maximum).

2-5 WALL TIES: Type "S" adjustable tie, 3/16-inch, "Z" type hook and 1-inch by 5-inch 12 gage corrugated steel - galvanized, a product of Wire Product Company or equal.

2-6 MIXES:

A. Mortar: For stone masonry (measured by volume).

1 part white cement
5 parts lime or lime putty
7 parts sand

B. After finish mortar samples are approved, pre-mix mortar mixes dry for all work.

PART 3: EXECUTION

3-1 CLEANING EXISTING MASONRY:

A. Cleaning brick and stone:

Clean existing masonry walls using stiff nylon or bristle brushes and water under normal pressure. After scrubbing, thoroughly rinse walls with cold water to remove residue.

Start cleaning at top of the structure and work downward. Carefully protect openings in masonry, including doors and windows, by use of suitable water-proof coverings. Thoroughly wet masonry surfaces before scrubbing in order to loosen dirt and lessen amount of necessary scrubbing. Do not use metal scrapers.

The use of abrasive blasting, wire brushes, grinders, sanding discs, or other abrasives will not be permitted in the work.

The use of acid or alkali cleaning agents will not be permitted in the work.

3-1 REPAIRING EXISTING MASONRY:

A. Routing of Joints:

Remove defective mortar joints to a depth of 1.0", using hand tools. Take care to avoid damaging existing bricks or enlarging width of joints.

Mechanical tools will be permitted only on specific written approval of Architect and demonstrated ability by operators to use without damage to masonry.

Remove and replace damage to existing brick by cutting, spalling and chipping as caused by routing operations.

Thoroughly remove loose material from joints using a hose stream under normal pressure or by low-pressure compressed air.

B. Mortar Mixing:

Add only enough water to dry mix ingredients to produce a damp, workable mix. Keep mortar in dampened condition for 1 to 2 hours, and then add sufficient water to bring it to proper consistency.

C. Tuckpointing:

After carefully routing and cleaning joints, wet joints thoroughly and then apply fresh, pre-hydrated mortar. Allow water to soak into joints, but joints should not be visibly wet with standing water during tuckpointing.

Fill mortar joints in layers not over 1/4-inch thick, with each layer applied with pressure as soon as previous layer has partially dried. Do not tool each layer smooth; leave surface rough to help bond of subsequent layers. Compress the final packing as much as possible to completely fill joint. Compact joints solidly before final tooling.

Tool joints to match existing work which has not been repointed, unless otherwise indicated. Take care to not spread mortar over edges of brick onto exposed surfaces. Do not featheredge mortar. Cure mortar by maintaining in a damp condition for 5 days.

3-3 FINAL CLEANING:

Allow mortar to fully harden for approximately 30 days after completion of work, then thoroughly clean exposed masonry surfaces of excess mortar and foreign matter using stiff nylon or bristle brushes and clean water under normal pressure.

The use of metal scrapers or brushes will not be permitted.

The use of acid or alkali cleaning agents will not be permitted.

PART 1: GENERAL

1-1 DESCRIPTION: The extent of built-up roofing (BUR) with smooth surfacing (Sms-BUR) is hereby defined to include multiple layers of roofing sheets and hot bitumen, surfaced with bitumen or mineral-surfaced cap sheets or other coatings, and includes associated composition flashing.

1-2 RELATED WORK SPECIFIED ELSEWHERE:

A. Masonry--section 04520.

1-3 PROJECTS FOR THIS WORK:

A. New roof: CELLHOUSE

B. Coatings: All other buildings.

1-4 Types: BUR with smooth surfacing required for project include the following:

Asphalt; surface coating, base sheet

1-5 QUALITY ASSURANCE:

A. Manufactured Products: Obtain primary roofing sheets (felts) from only one manufacturer, to greatest extent possible. Provide secondary materials (and materials not available from primary roofing materials manufacturer) from sources which are recommended by manufacturer of primary sheets.

B. Manufacturer: Provide primary roofing felts produced by one of the following:

Bird & Son, Inc.; Walpole, MA.
Celotex Corp.; Tampa, FL
Certain-Teed Products Corp.; Blue Bell, PA
GAF Corp.; New York, NY
Johns-Manville Corp.; Denver, CO
or approved equal.

1-6 SUBMITTALS: Submit manufacturer's product specifications, installation instructions and general recommendations for each type of roofing product required. Include data substantiating that materials comply with requirements.

1-7 PRODUCT HANDLING:

A. Store and handle roofing sheets in a manner which will ensure that there is no possibility of significant moisture pick-up. Store in a dry, well-ventilated, weather-tight place. Do not leave unused felts on the roof overnight or when roofing work is not in progress. Store rolls of roofing sheets (felts) on end.

PART 2: MATERIALS

A. BUR Ply Sheets:

1. Asbestos Base Sheet: Asphalt saturated asbestos fiber roofing felt, which has been coated on both faces with asphalt, including mineral stabilizers and mineral surfacing, weighing not less than an average of 39 lbs. per 100 sq. ft. (known as a No. 45 asbestos base sheet).

2. Coated Asbestos Felt: Asphalt saturated asbestos felt (without perforations), weighing approximately 13 lbs. per 100 sq. ft., which has been coated with asphalt on both faces to provide a total weight averaging not less than 25 lbs. per 100 sq. ft. (known as a No. 30 coated asbestos felt).

B BUR Bitumens:

1. Type II Asphalt: ASTM D 312, Type II (flat) SP 160-175 degrees F.

2. Steep Asphalt (Type III): ASTM D 312, Type III (steep) SP 180-200 degrees F (82-93 degrees C).

3. Type IV Asphalt: ASTM D 312, Type IV (special steep) SP 205-225 degrees F (96-107 degrees C).

4. Asphalt Quality (All Types): Provide only virgin residual petroleum-process asphalt, which has not been modified by addition of softening oils or other compounds to modify softening point, and which has been accurately air-blown (oxidized) to establish required softening point.

PART 3: EXECUTION

3-1 GENERAL INSTALLATION LIMITATIONS:

A. Do not apply hot bitumen under any condition that would cause foaming. Test substrate for excessive moisture by pouring one pint of bitumen at 400 degrees F (204 degrees C) on deck, at start of each day's work, and at start of each roof area or plane. Substrate is too wet if test sample foams or can be easily (cleanly) stripped after cooling.

B. Bitumen Heating: Do not raise temperature above minimum normal fluid-holding temperature more than one hour prior to time of application. Discard bitumen which has been held at an elevated temperature (as required for application) for a period exceeding 3 hours. Do not heat bitumen above temperature required to ensure that application viscosity results in adequate mopping weight and maximum penetration, coverage and adhesion of felt plies, and maximum adhesion to substrates. Determine flash point of bitumen, either by information from bitumen producer or by suitable tests, and determine maximum fire-safe handling temperature and do not exceed that temperature in heating bitumen.

C. Shingling of Plies: Except as otherwise required by unusual circumstances or as otherwise indicated, lay applied bituminous membranes with felts shingled uniformly to achieve required number of plies. Lap 36" felts 4" for single-ply work, 19" for 2-ply work, 24.7" for 3-ply work, 27.5" for 4-ply work, and 29.2" for 5-ply work.

D. Mopping Weights: For inter-ply moppings, and for other moppings unless otherwise indicated, apply bitumen at rate of not less than 0.15 nor more than 0.25 lbs. per sq. ft., with average amounting to not less than 20 bls. per square (100 sq. ft.) per mopping.

E. Substrate Joint Penetrations: Do not allow bitumen to penetrate substrate joints and enter building or damage insulation, vapor barriers or other construction. Where mopping is applied directly to substrate, tape joints or, in the case of steep asphalt, hold mopping back 2" from both sides of each joint.

F. Cut-Offs: At end of each day's roofing installation, protect exposed edges of incomplete work, including ply sheets and insulation. Provide temporary covering of coated felt or other waterproof covering, sealed with roofing cement at edges and joints; and remove at beginning of next day's work. Glaze-coat areas of completed ply sheets which cannot be covered with final roof surfacing material before end of each day's work.

G. Cant Strips: Except as otherwise shown, install cant strips and tapered edge strips prior to installation of BUR membrane ply sheet courses, where possible.

3-2 BASIC BUR MEMBRANE COMPOSITION:

A. Asphalt, Base Sheet, Coated Surface BUR

1. General: Install the following base sheet, followed by courses of the following ply sheets set in moppings of asphalt of type indicated:

Base Sheet: Asbestos base sheet.

- B. On non-nailable substrates, apply base sheet in mopping of steep asphalt, followed by 3 ply sheet courses with type asphalt required for slope of substrate.

1. Where substrate slope does not exceed $\frac{1}{2}$ " in 1'-0", provide Type II (flat) asphalt for inter-ply moppings.
2. Where substrate slope is between $\frac{1}{2}$ " in 1" and 1'-0", provide steep (Type III) asphalt for inter-ply moppings, and where slope exceeds 3/4" nail leading edge of laid-up plies 12" o.c. to each nailer in substrate.
3. Mop completed plies (without delay) with the same type asphalt used for inter-ply mopping. Apply at 20 lbs. per square, reduce to 10-lb glaze-coat where another surface coat is indicated.

3-3 BUR SURFACE COATING

- A. Hot-Mopped Coating: Except where roofing ply sheet courses are indicated to receive cap sheets or another type of coating, hot mopping of asphalt of same type used for inter-ply moppings, applied concurrently with inter-ply moppings, is to be retained as top coating (coatings only).

- B. Emulsion Top Coating: Apply asphalt emulsion roof coating, uniformly at an average rate of 2.5 gal. per 100 sq. ft. Delay application for a period of at least 7 days after completion of BUR membrane, to allow for aging of bitumen. Provide fibrated type emulsion for slopes in excess of 3" in 1'-0" or, at Installer's option, provide fibrated cut-back type asphalt roof coating in lieu of fibrated emulsion.

3-4 ROOFING WORK AT EDGES AND PENETRATIONS:

- A. General: Coordinate edge construction with surface course of roofing. Do not leave roofing felts exposed. Glaze-coat with steep asphalt if surface course must be delayed at edges past end of day; proceed with flashing and stripping.

Use steep asphalt for hot mopping of vertical and canted stripping and flashing work at edges and penetrations of roofing, regardless of type bitumen used for inter-ply moppings.

- B. Provide preformed edge strips (cant strips) where shown and where feasible to install. Extend BUR membrane as shown or, if not otherwise shown, to top edge of cant edge strip or other tapered strips at edges and penetrations.

- C. Provide a folded-back envelope at edges and penetrations of BUR membrane where it is not turned up on a tapered strip, so as to provide positive protection against flow of bitumen into building or off the edge. Extend base sheet to form envelope or, where no base sheet is provided, install one ply of coated felt set in steep asphalt with joints sealed. Seal corners and other interruptions of envelope with large beads of roofing cement to provide positive protection against flow of bitumen.

- D. At roof drains, trim surface of insulation where necessary, so that completed membrane is flush with ring of drain. Coordinate BUR membrane with drains and drain flashing, and seal edges of membrane to ensure that bitumen will not flow into building nor into drains.

- E. Nail edges of roofing (where possible) to top of cant strip or to wood blocking or to deck before applying composition flashing or stripping. Comply with recognized industry standards for nailing, so as to develop anchorage of strength equal to membrane strength.

- F. Perimeter Nailing: Where shown and where required for FM compliance, and where portions of BUR membrane are included in required nailing, coordinate nailing of roofing and insulation at 4'-0" wide perimeter of roofing work. Comply with FM nailing requirements.

- G. Roof Drains: Fill clamping ring base with a heavy coating of roofing cement. Extend BUR membrane into clamping ring or, where not feasible, provide two plies of asbestos flashing mopped with steep asphalt and extended into clamping ring. Extend flashing onto BUR 6" and 10" respectively. Before placing clamping ring, cover flashing with 2 plies of glass fiber fabric in roofing cement and coat with roofing cement. Extend each fabric into clamping ring, and for distances of 14" and 16" respectively onto BUR.

PART 1: GENERAL

1-1 DESCRIPTION: The work of this section consists of all glass and glazing required for the work, including new glass, glass replacement, and all puttying.

1-2 RELATED WORK SPECIFIED ELSEWHERE: Painting - Section 19901.

1-3 Submittals: In accordance with Section 01300, submit a 12-inch long putty sample labeled with brand, color, and type to match sample supplied by the owner and an 8-inch by 8-inch sample of glass. Samples in wood of any profile style, rail or muntin that must be replaced in order to restore sash.

1-4 QUALITY ASSURANCE:

A. Standards: Federal Specifications (FS).

B. Labels: Each light of glass shall be factory labeled as to quality, type, thickness, and manufacturer. Glass may be reused or cut down from a larger broken pane.

C. Manufacturer: PPG Industries, Inc., Pittsburgh, Pennsylvania.

1-5 PRODUCT HANDLING: The Contractor shall be responsible for all glass before and after installation until the Contract is completed. He shall replace any broken glass until acceptance is obtained.

1-6 PROJECTS OF THIS WORK:

A. Inspect all glazing in the cellhouse and administration buildings, and designate and replacement of all glass that is cracked in half or that contains a 3-way crack. Glass which is cracked across a corner is not to be replaced unless directed by Contracting Officer.

B. All sash and jams of Building No. 1 are to be reconditioned and repaired before repainting. If removed, all sashes shall be numbered for reinstallation.

1. Ensure that window frames including sills and all trim are dry before all repair operations.
2. Fill large cracks and small holes in sills with epoxy wood filler. Adhere to manufacturer's instructions.
3. Replace wood members that have lost all mechanical properties of strength. Splicing onto sound material to replace a rotted end is to be preferred over replacing the member entirely.
4. Leave all sash in operating condition (counter weights need not be restored). Make certain all glass, new or old, is in a sound bed of putty.

C. Largest panes of glass to be removed shall be repaired first and salvaged glass shall provide some material for small panes in need of replacement. Mark reused glass as you would new material.

PART 2: MATERIALS

2-1 GLASS: Flat sheet, Type II, greenhouse quality or "C" quality, FS-DD-G-451, single or double strength. Acid etched to read "19____"(current year). Imperfections are acceptable.

2-2 PUTTY: Composed of pure linseed oil, pure whiting and 10 percent white lead. Putty shall conform to ASTM Specifications for Class B white lead whiting putty.

2-3 EPOXY WOOD FILLER: As approved by Contracting Officer.

PART 3: EXECUTION

3-1 GENERAL: Do no glazing in defective or improperly installed frames; installation of glass constitutes acceptance of frames as suitable for glazing. Surfaces shall be dry and free from dust before glazing. Dirty surfaces shall be cleaned with a cloth saturated with turpentine or mineral spirits before glazing. Glazing compound shall not be applied in temperatures below 40 degrees F. or during damp or rainy weather. Do not glaze wood windows until they have received a priming coat of paint. Do not handle windows after glazing until the glazing compound has set. Complete installation shall be sound and waterproof.

3-2 RESTORATION OF SASH: As outlined in 1-6 B this section.

3-3 FIELD MEASUREMENTS: Determine exact size of glass by measurements of the openings in each window to be glazed.

3-4 PREPARATORY WORK: Remove existing putty and all broken and loose glass.

3-5 INSTALLATION: Reset existing and set new glass firmly against frame with glazing points and putty. Cut excess putty to sight line at the muntin leaving a continuous, smooth surface returning neatly at corners.

3-6 INSPECTION AND ACCEPTANCE: After glazing, remove all foreign material left on the surface of the glass. Remove scratched, chipped, or otherwise defective glass and replace with proper materials. After inspection of the glasswork, remove all labels and thoroughly clean all surfaces.

3-7 GUARANTEE: Glass breaking or air leakage due to glazing gaskets or compounds not being able to absorb thermal expansion will be considered a defective installation, and the glass shall be replaced and correctly installed by the Contractor at no cost to the owner.

PART 1: GENERAL

1-1 DESCRIPTION: The work of this section consists of all painting and other finishing of interior and exterior work.

1-2 RELATED WORK SPECIFIED ELSEWHERE:

A. Masonry--section 04520.

1-3 PROJECTS FOR THIS WORK:

A. Interior work:

All buildings.

B. Exterior work:

All buildings.

1-4 QUALITY ASSURANCE:

A. American Society for Testing and Materials (ASTM); and Federal Specifications (FS); Technical Manual, Army "Paints and Protective Coatings" TM-5-618.

B. Manufacturers: Pittsburg Paints - PPG Industries, Inc.; Benjamin Moore; Martin Seynor; Olympic; or approved equal.

C. Paint Color Standard: Munsell Color Company, North Calvert Street, Baltimore, Maryland.

D. Product Handling: Deliver no materials until written approval is received. Deliver in manufacturer's unbroken labeled containers. Store in a dry, ventilated place under cover, as assigned by the Park. Store no flammable, caustic or noxious products in any historic structure. Take extreme precautions to avoid fire hazards. Surfaces to be painted shall be even, smooth, sound, free from dirt and without defects that might affect proper application of paint. Report unsatisfactory surfaces to Contracting Officer or correct defective surface.

PART 2: MATERIALS

2-1 PAINT AND FINISH PRODUCTS: Highest quality available standard brand as distributed by a nationally known manufacturer. Paint products shall be fresh, well-ground, shall not settle rapidly, cake or thicken in the container, and shall have easy application characteristics. Paint shall be mixed to the approval of the Architect.

2-2 FILLING COMPOUNDS: Use linseed oil putty for wood, FS TT-P-00791.

2-3 LINSEED OIL:

A. Raw: ASTM D234

B. Boiled: ASTM D260

2-4 TURPENTINE: Pure Pine gum spirits, ASTM D13

2-5 PETROLEUM BASED PAINT THINNERS: Prohibited.

2-6 PAINT REMOVER FOR EXTERIOR: No drip type, organic solvent remover, water rinsable, conforming to FS-TT-R-215 Acetone or Benzine compounds acceptable. Conforming products of Wilson Imperial, Wonder - Water-Wash-Off, acceptable.

PART 3: EXECUTION

3-1 GENERAL REQUIREMENTS:

A. All surfaces shall be free of loose matter before applying finish material.

B. Windows to be reglazed shall have glazing surface of wood prime.

C. Back prime new material.

D. Mix paint only in a designated space outside or in galvanized steel pans in which all mixing pails or barrels shall be kept. No mixing will be permitted outside designated areas.

E. Natural bristle and hair brushes only may be used. Roller or spray application of paint or finishes is permitted, only on concrete surfaces.

3-2 SURFACE PREPARATION: GENERAL

A. Wood: Treat reinstalled windows with two coats of boiled linseed oil.

B. Concrete Surfaces: Remove dirt and grease with mineral spirits. Remove rust, mill scale, and defective paint down to sound surface, using scraper, sandpaper, or wire brush, as necessary. Prime all exposed surfaces.

C. Paint Removal: Follow paint remover manufacturer's instructions for removal application and neutralization. Do not gouge wood. Use no torches or flame removal of paint.

D. Removal of Disintegrated Finish: Scrape or sand. Wipe off dust and loose chalked paint.

E. Patching:

Wood: Fill all holes with linseed oil putty, tinted to match surface finish. Shim large holes and cracks with wood and putty. Allow to dry, sand roughness smooth.

Plaster: Remove all loose or deteriorated plaster and match adjacent surfaces.

Concrete: Remove all loose or deteriorated material and match adjacent surfaces.

F. Washing: Wash all existing painted and unpainted wood surfaces included in this work with appropriate washing materials mix. Rinse immediately and dry.

3-3 APPLICATION: Secure approval of each coat prior to proceeding with the next.

A. Workmanship: Apply material evenly without runs, sags, or other defects. Each coat shall be thoroughly worked into the material being coated at an average rate of coverage recommended. Cover all surfaces completely to provide uniform color and appearance. All parts of trim and edges shall be left clean and true to details without undue amount of finish material in corners or depressions.

B. Painted Work: Prime all exposed work prior to installation or on the same day it is installed. Touch up scarred and abraded places on shop or factory applied prime coats.

C. Drying Time: Do not apply succeeding coats until the undercoat is thoroughly dry.

3-4 COLOR: Samples provided by owner or architect.

FOOTNOTES

HISTORY

PROLOGUE

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2. Interview with Deputy Warden James G. Blodgett, November 19, 1979.

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5. *Ibid.*, p. 64.
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8. *House Journal of the Legislative Assembly of the Territory of Montana, 3d Sess., November 5 - December 15, 1866* (Helena: Wilkinson and Ronan Public Recorder, 1870), p. 243.

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28. *Ibid.*
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30. William F. Wheeler, "Montana Penitentiary," October 28, 1877, Manuscript Collection, Bancroft Library, Berkeley, California.
31. Benjamin Potts to Jacob Cox, 30 January 1871, Department of Interior, *Territorial Papers*.
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34. *Ibid.*
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36. *Ibid.*
37. *Ibid.*
38. Spence, *Territorial Politics*, p. 267.
39. *Ibid.*
40. *Annual Report of the Directors and Warden of the Montana Penitentiary, 1873* (Deer Lodge: New North-West, 1873), p. 12. Hereafter cited as *Annual Report*.
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43. Martin Maginnis to Delano, 17 March 1874, Department of Interior, *Territorial Papers*.
44. Montana Attorney General to Delano, 5 August 1874, Department of Interior, *Territorial Papers*.
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58. A. G. Garland to Secretary of Interior, 2 July 1885, Department of Interior, *Territorial Papers*.
59. Robert Kelly to A. G. Garland, 7 July 1885, Department of Interior, *Territorial Papers*.
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14. For detailed account of construction see structure history section of report.
15. Untitled newspaper account, datelined Chicago, June 22, 1899. Deputy Warden James G. Blodgett's personal files.
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18. *Ibid.*
19. *Annual Report*, 1895, p. 4.
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21. January 4, 1911, *Warden's Correspondence*, p. 136, Montana State Penitentiary, Deer Lodge, Montana, Hereafter cited as *Warden's Correspondence*.
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 8. *Lewistown Daily News*, September 16, 1958.
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Montana's voters later rejected the idea of a new prison by voting down a matching five million dollar bond issue.
 26. Legislative Council, *Montana State Prison*, p. x.
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10. *Ibid.*
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16. Prison Commissioners, April 24, 1911, "Minutes," p. 76.
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APPENDIX A

MISCELLANEOUS
MAPS

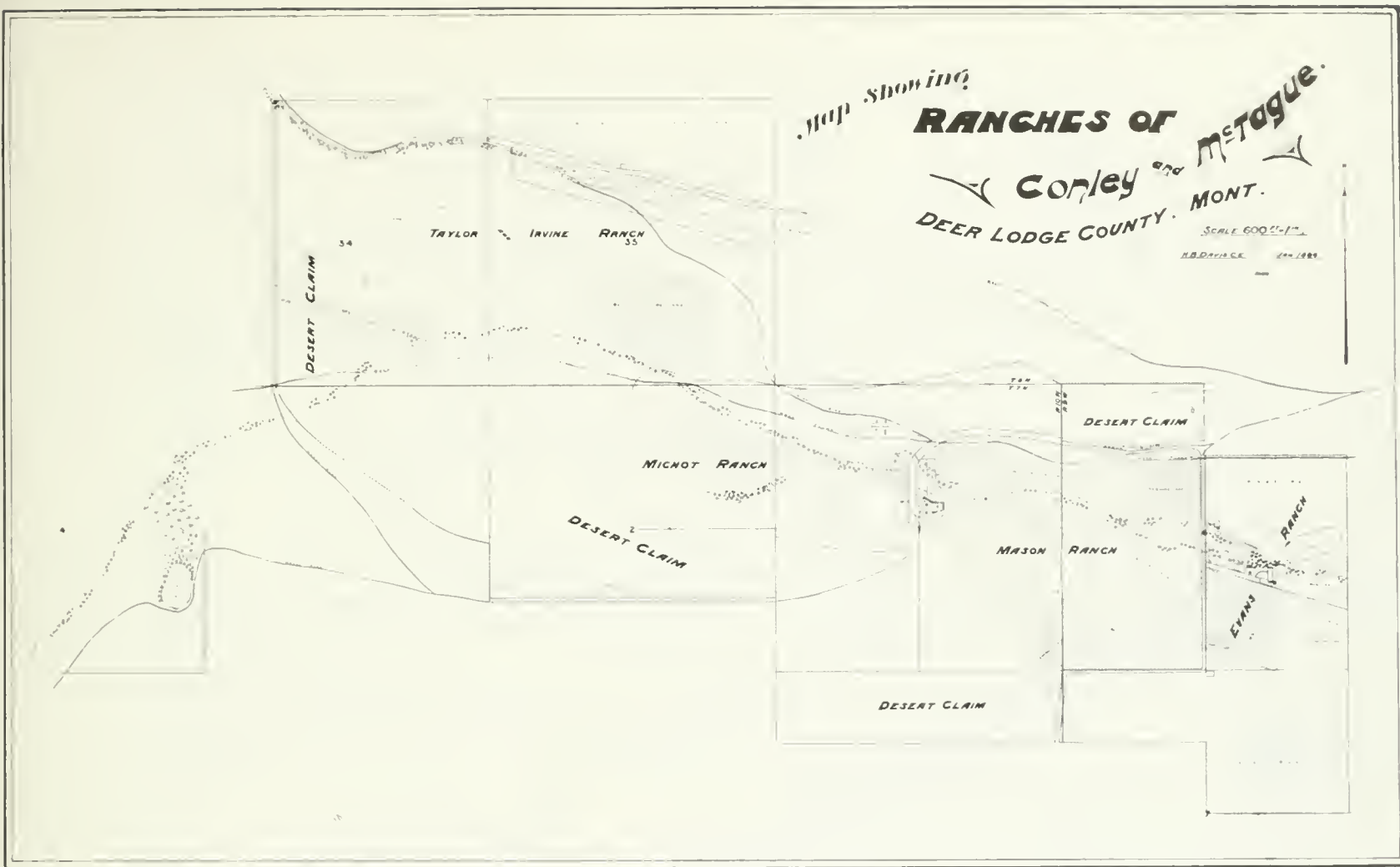


Figure 106: Map showing the ranches of Conley and McTague 1896. Note brick yard and lime kiln.

MAP OF MONTANA STATE PRISON

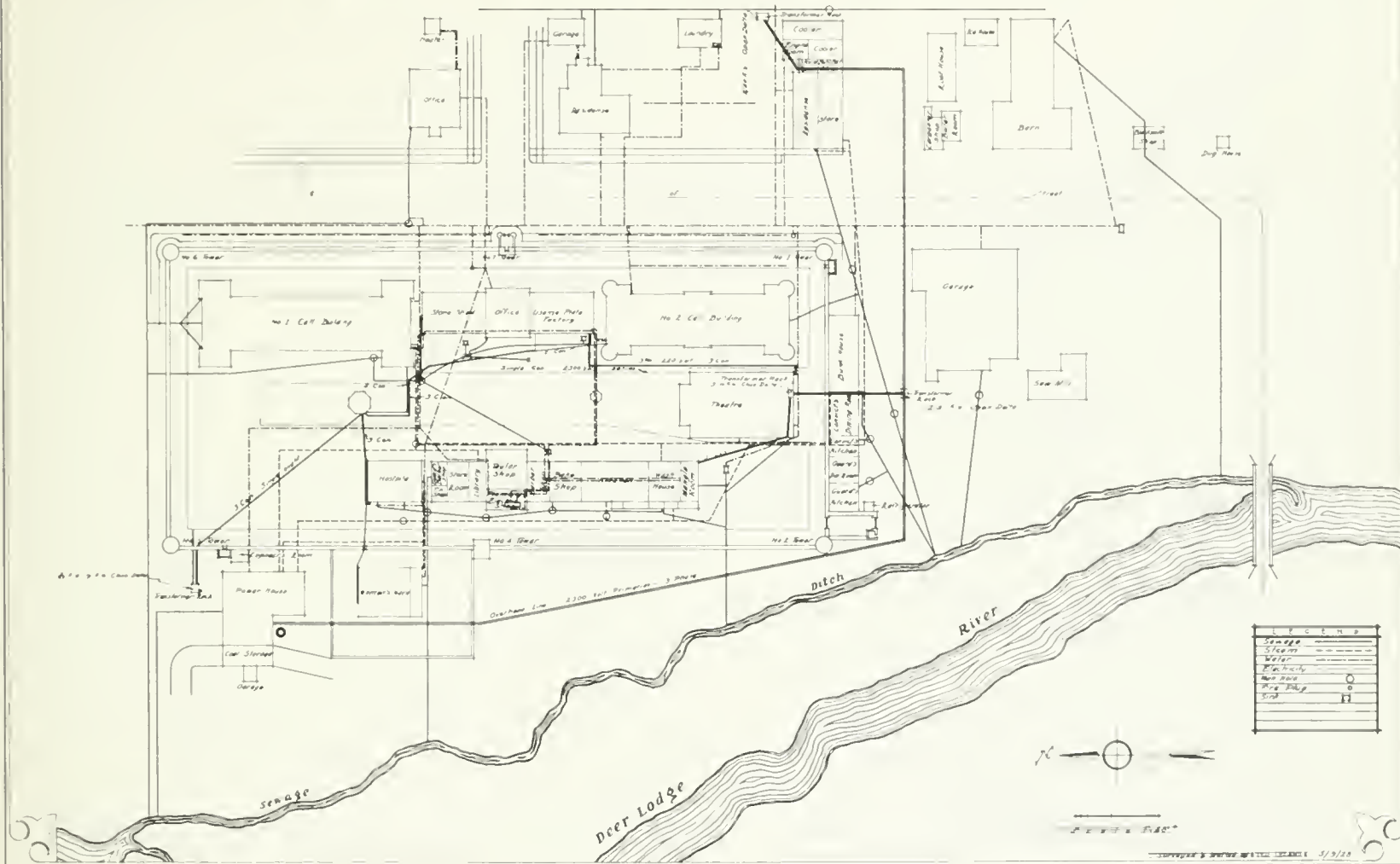


Figure 108: Map of the Montana State Prison 1928.

APPENDIX B

SANBORN MAPS

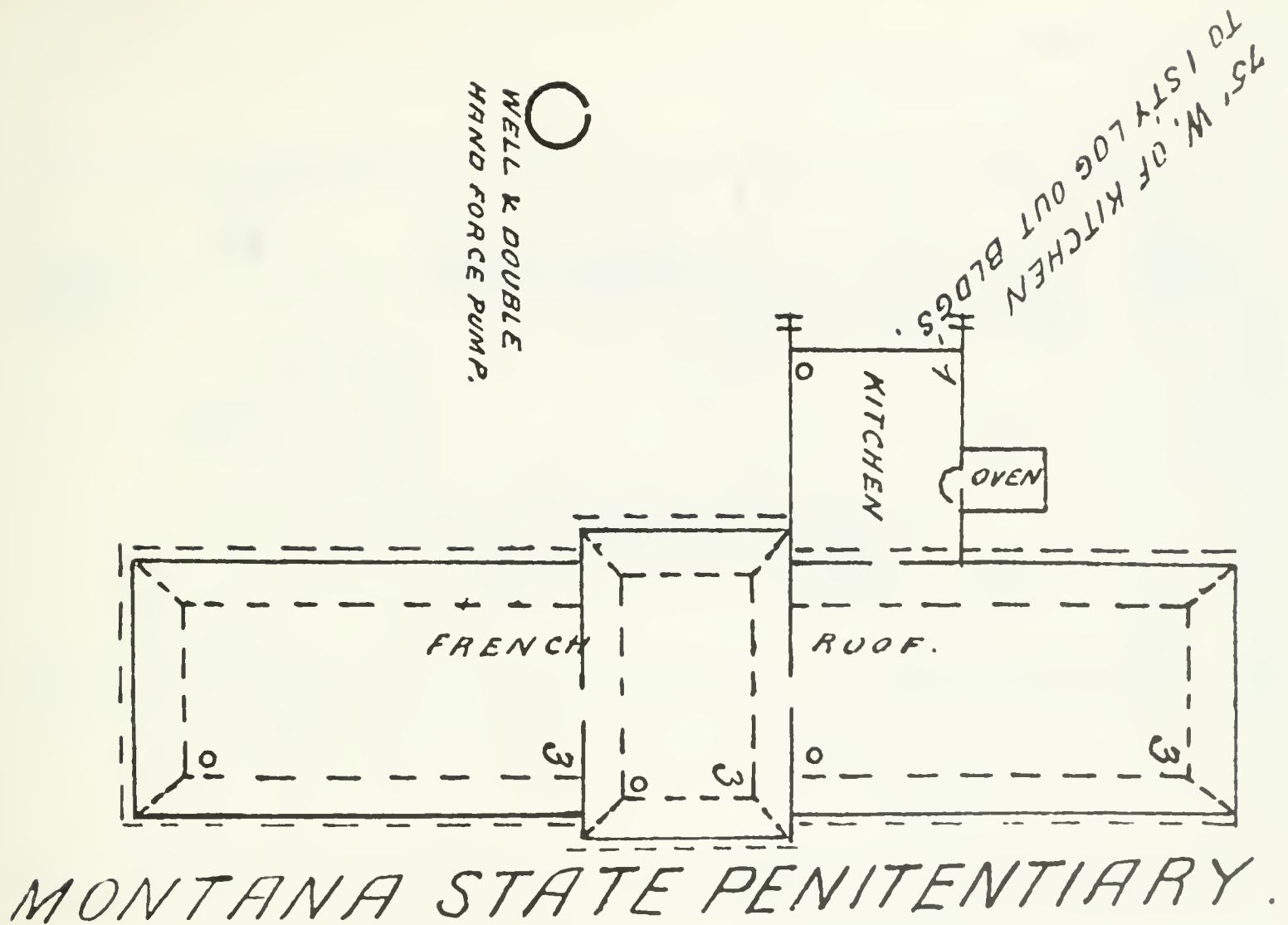


Figure 109: Partial Sanborn Map of the Montana State Penitentiary 1890.

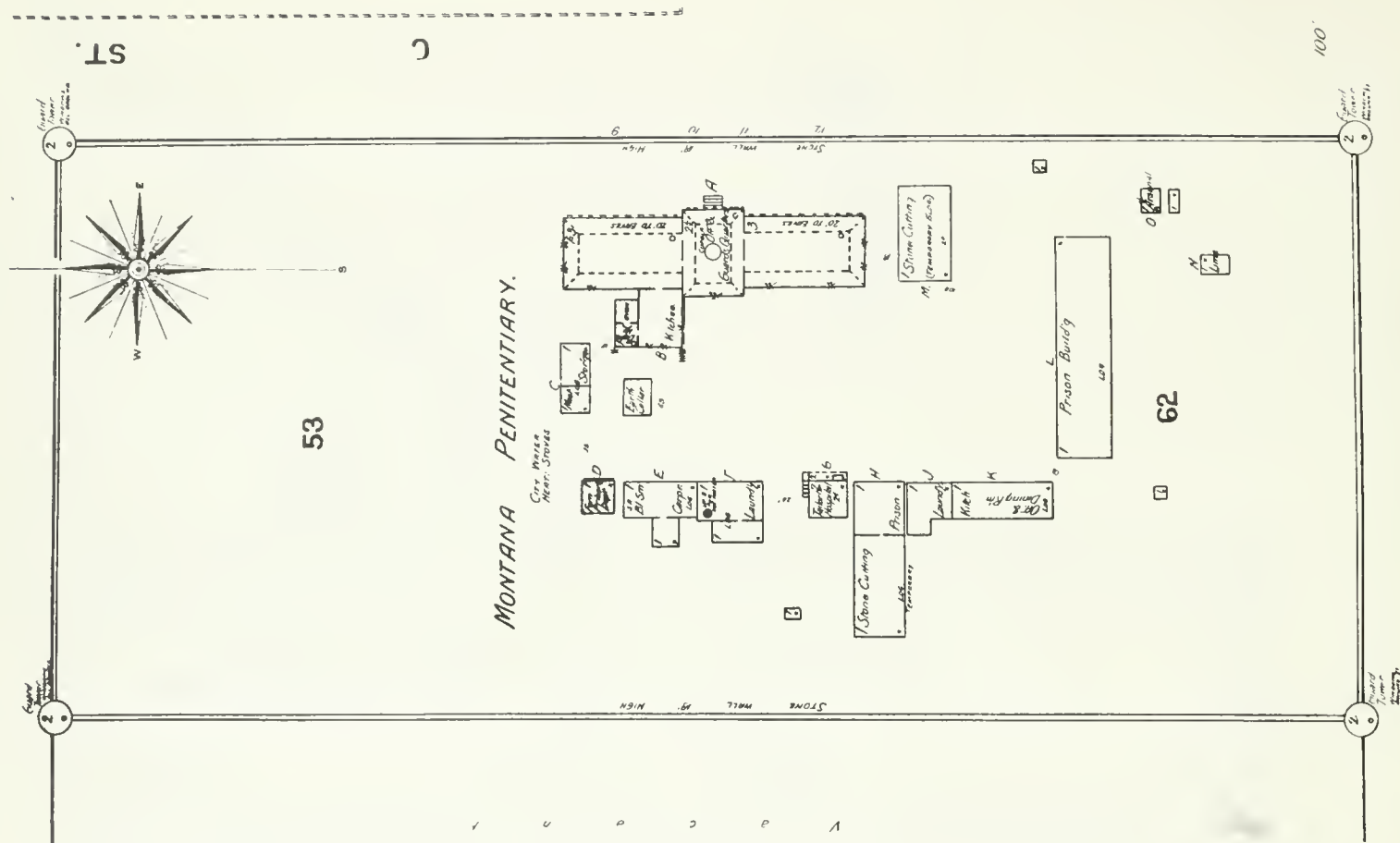


Figure 110: Partial Sanborn Map of the Montana State Penitentiary 1894.

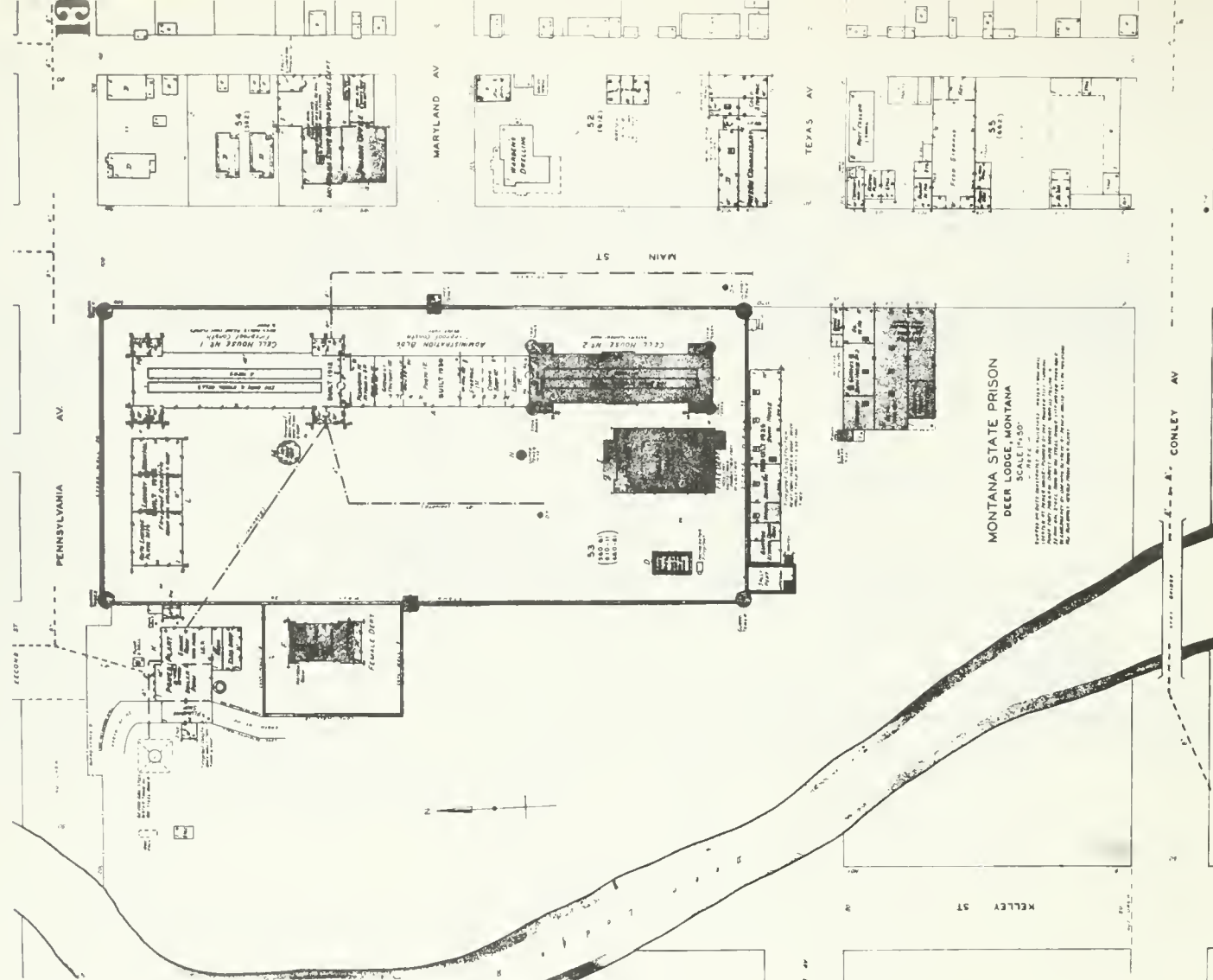


Figure 114: Sanborn Map of the Montana State Prison 1940.

APPENDIX C

ARCHITECTURAL DRAWINGS

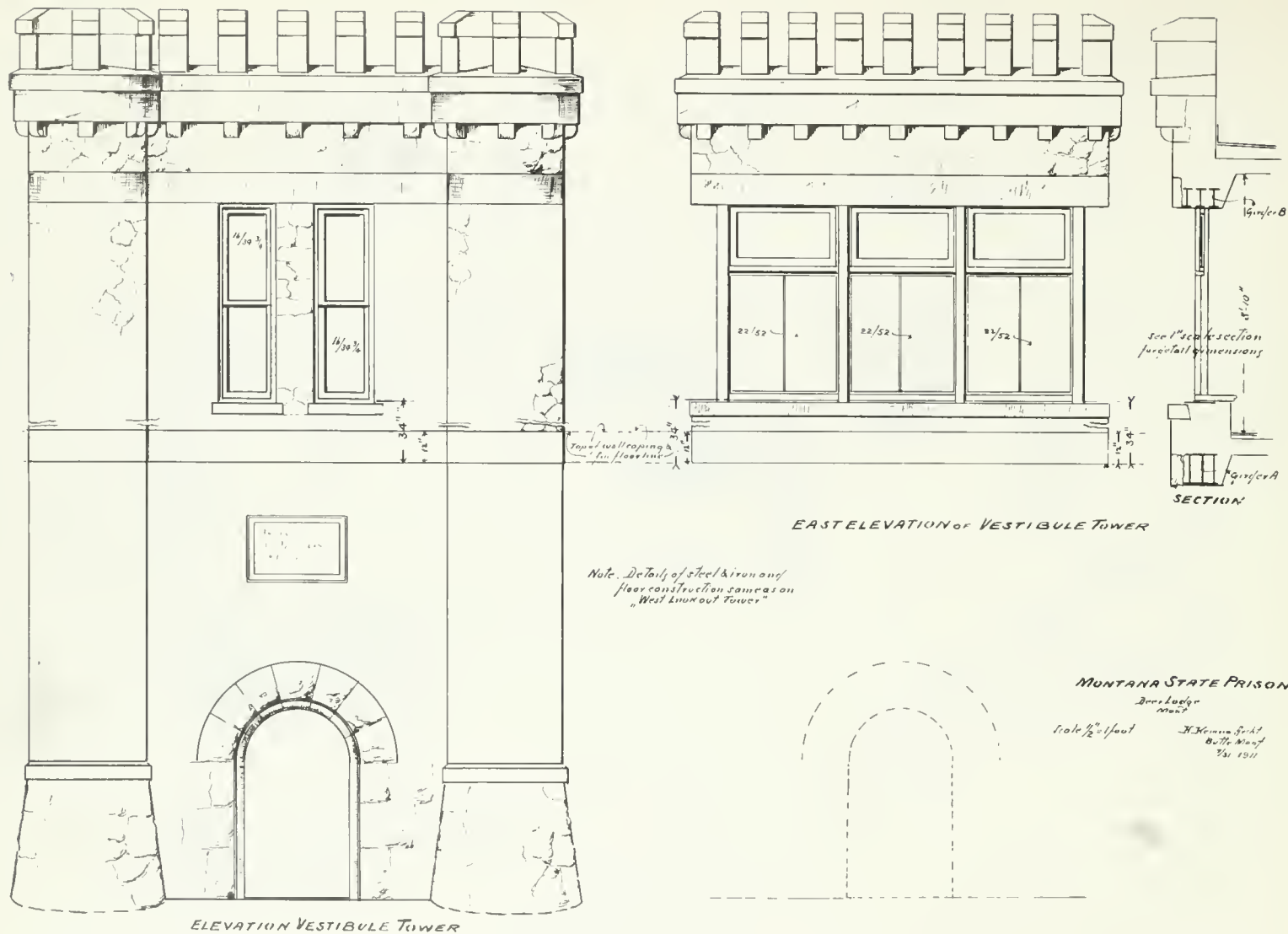


Figure 115: Original plans for the main entrance tower 1911.

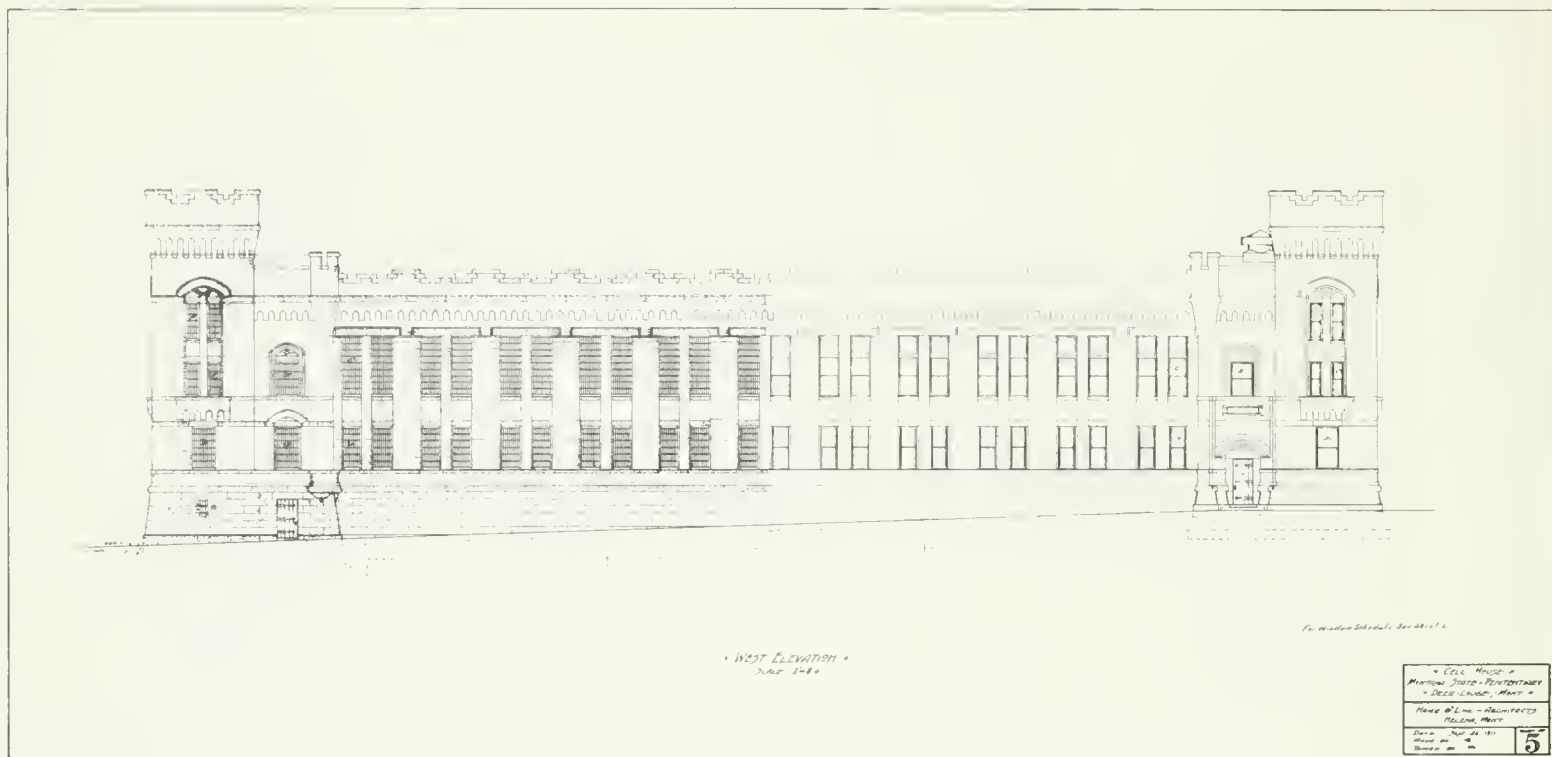


Figure 121: Original west elevation drawing of the 1912 cell house.

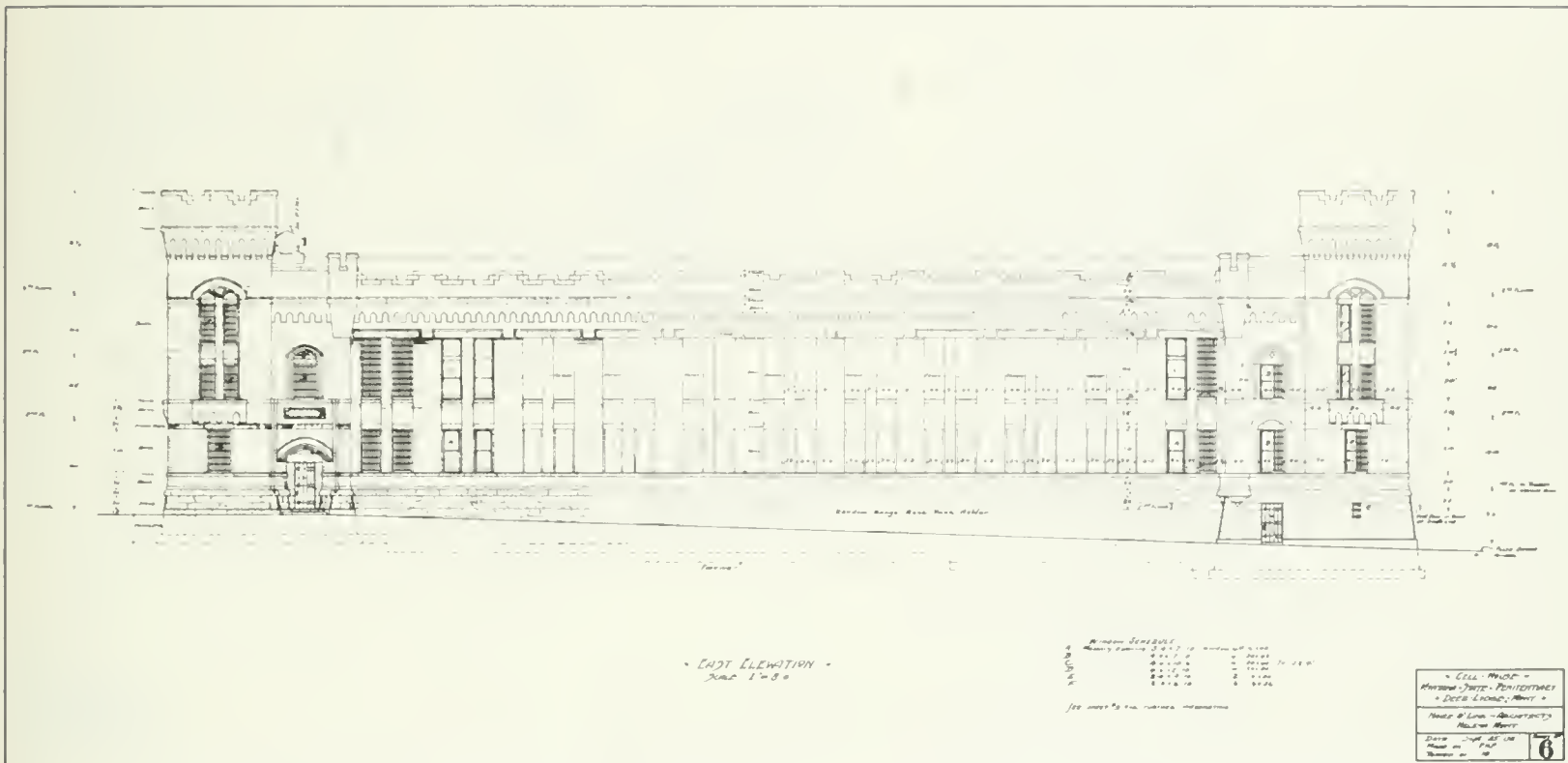


Figure 122: Original east elevation drawing of the 1912 cell house.

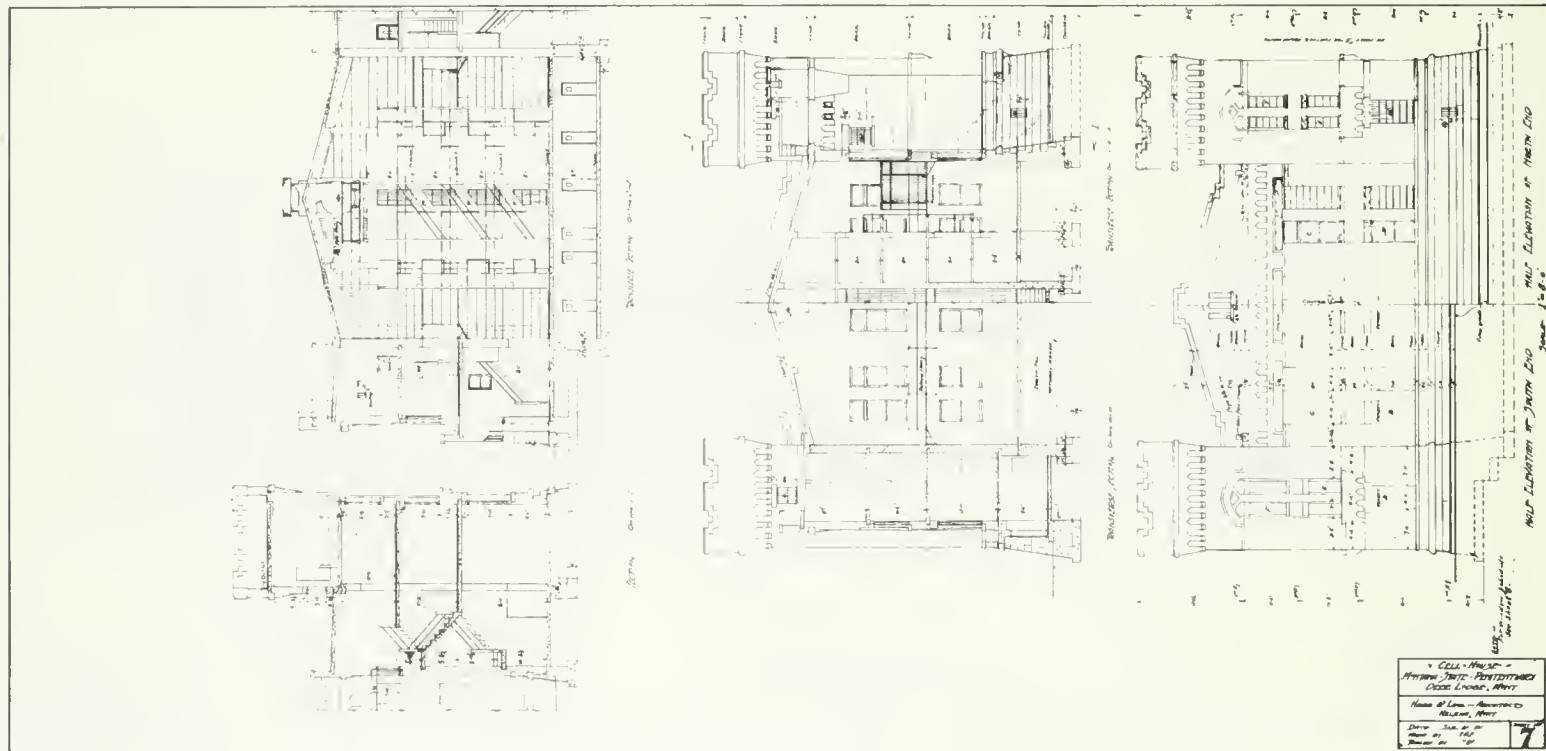


Figure 123: Original north/south elevation and transverse sections of the 1912 cell house.

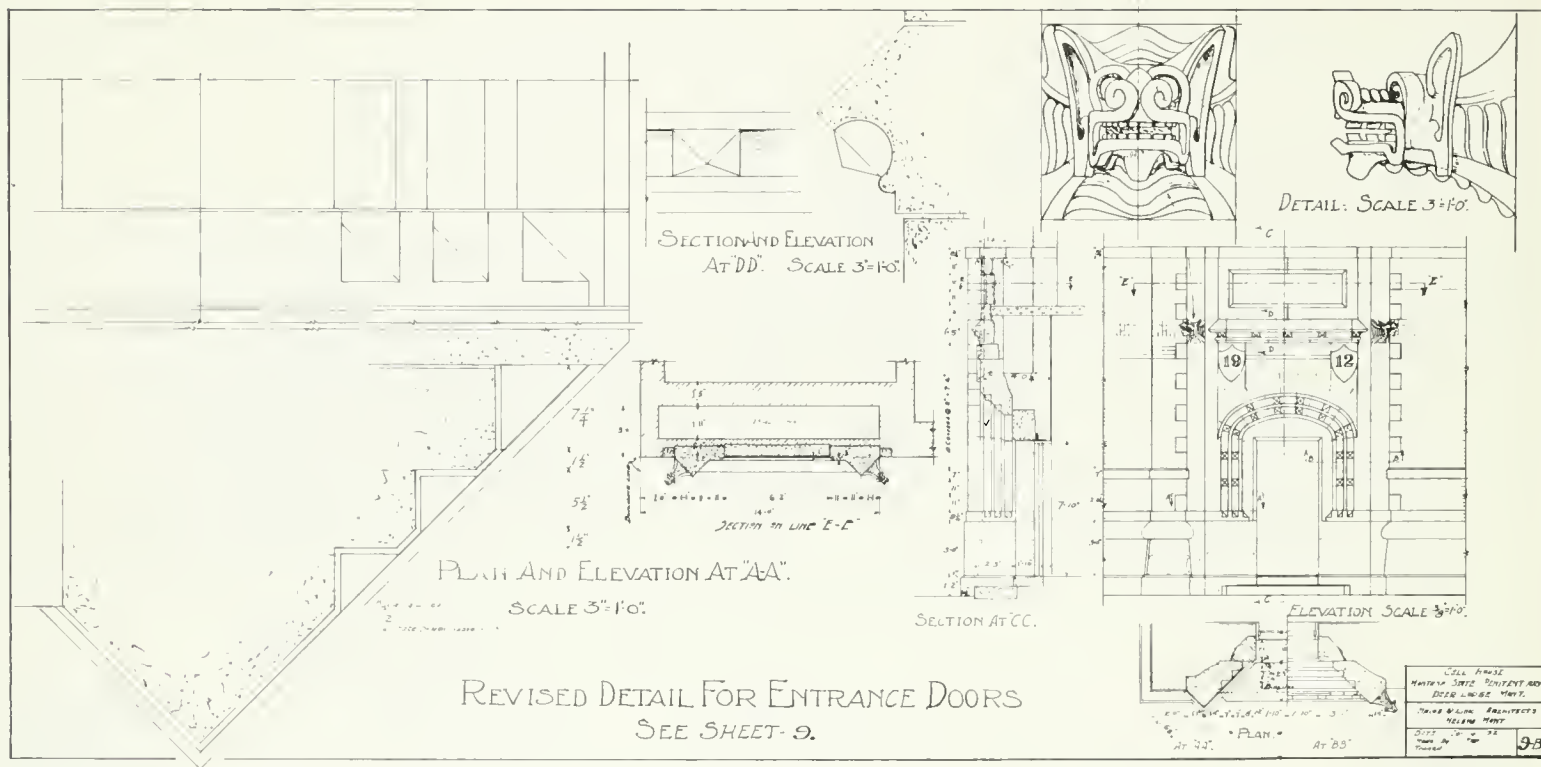


Figure 125: Original entrance door details of the 1912 cell house.

APPENDIX D

1897
ANNUAL REPORT

Seventh Annual Report.

Office Board of State Prison Commissioners,
Helena, Mont., Dec. 10th, 1897.

Robert B. Smith, Governor of Montana:—

In accordance with the provisions of law, we herewith submit the Seventh Annual Report of the State Board of Prison Commissioners.

The tabulated statements which follow give a full and detailed account of all expenditures which have been incurred during the fiscal year 1897, and also the general statistics of the prison, such as number confined, nature of crime, from which county committed, occupation, etc., etc.

The contract price of keeping the prisoners for the two years ending June 30, 1898, being 35 cents per capita, and the Legislature having appropriated \$50,000 per year for 1897 and 1898, the board believed that a sufficient amount could be saved from the appropriations for these two years to complete the prison building which had been partly erected during the year 1896. The report of the Superintendent of Construction contained herein explains fully the condition of the prison buildings at the commencement of the fiscal year 1897, and the necessity for the early completion of this building. The total expense of completing this building was \$18,263.98, and the chief item of this expense was the cell doors, frames and fixtures, for after utilizing all that could be obtained at the Eastern penitentiary at Billings, and in the buildings which were to be abandoned at Deer Lodge, it was found necessary to purchase 138 more at a cost of \$4,744.80. This included also steel gratings for windows, brackets and railings for galleries, and other steel work. These supplies were purchased from the A. C. M. Co., foundry department, as its bid was the lowest and best received in answer to requests for bids made on the principal steel works of the country. The building was completed and ready for occupancy in November, 1897, and is now occupied by all of the male prisoners confined in the State Penitentiary. It is a substantial and well constructed building, as well ventilated as the system of heating will per-



mit, and will compare favorably with any prison building in the Western States.

It will be seen by referring to the annexed tables that the total expenditure for care and keep of inmates and for cash and clothing furnished discharged prisoners was \$45,659.75, which together with cost of completing prison building No. 2 exceeds the appropriation for 1897 by approximately \$13,000. As there will be but little expense during the year 1898, outside of the actual care and keep of the inmates, we believe that a good share of this deficiency can be paid out of appropriation of 1898.

On September 3, 1897, the board advertised for bids for the care and keep of convicts for the two years commencing June 20, 1898. On October 6, 1897, the Board met to consider bids, and found that but one bid had been received, that of Conley & McTague, who proposed to contract for the care and keep of all prisoners at the rate of 40c per capita per day, and that there should be no extra charge for food or clothing furnished prisoners working on State improvements. This bid was accepted, and a contract duly entered into with Conley & McTague for the care and keep of prisoners under the conditions of said bid.

During the year the general health of the prisoners has been good. While the work on improvements was under way it was necessary to close the prison school, but at the completion of this work in November the school was again opened. The Board finds that while the school is of undoubted benefit to some of the prisoners, others can only be induced to attend by compulsion, and that those who unwillingly attend learn but little themselves, and prevent others from learning. The Board has therefore adopted the rule of permitting prisoners to attend school or not, at their pleasure.

Respectfully submitted,

ROBT. B. SMITH,

Governor, and President of the Board.

C. B. NOLAN,

Attorney-General.

T. S. HOGAN,

Secretary of State, Secretary of the Board.

Members Board of State Prison Commissioners.

SUPERINTENDENT McCALMAN'S REPORT.

Deer Lodge, Montana, December 10th, 1897.

The Honorable Board of State Prison Commissioners, Helena, Montana:—

Gentlemen:—I hereby submit to your honorable body the following report regarding the improvements made at the State Penitentiary, Deer Lodge, during the year 1897.

In April of this year the Board of State Prison Commissioners inspected the State Prison at Deer Lodge. The prison at that time contained 337 prisoners; of that number 156 were living in a one-story building, 107 feet long, 33 feet wide, and 13 feet high, with two tiers of wooden bunks running through the center. The floor, ceiling and walls being entirely of wood, and though used as permanent quarters, contained no cells, the prisoners mingling promiscuously between the hours of 7 a. m. and 9 p. m. This wooden structure containing 156 wards of the State gave the management much concern, the ventilation as well as its sanitary condition being rude and inadequate. A satisfactory condition of cleanliness so desirable in an institution where numbers of men are incarcerated, could not under the circumstances be attained. There were also other conditions to contend with, such as the danger of fire. While the lives of the inmates would in no wise be endangered, the contractors would find themselves in a temporary predicament until provision could be made for the erection and completion of other quarters. This building being altogether unsuited for the purpose for which it was used, the contractors had to employ extra guards to prevent the prisoners from taking advantage of conditions that favored their efforts to regain their liberty. Notwithstanding the vigilance maintained by the management, four of the prisoners confined in this log house, taking advantage of their unprisonlike surroundings, seized this last opportunity to make their escape from the penitentiary.

One hundred and eighty-one prisoners were confined in two

four in number, with ample ventilation, and have double doors of wood and iron.

Two doors leading from the stairway in the towers communicate with a gallery that runs round the entire inside of the building, at opposite angles of which are two iron cages. This gallery is sixteen feet from the floor and is for the exclusive use of guards on duty who when patrolling along this walk can see the inside of all the cells.

In the four corners of the building are located the guards' bedrooms, nine in number. They are separated entirely from the prison.

Under the present circumstances the entire building has to be heated with stoves and lighted with oil lamps. Such a large block as this, containing inside 321,000 cubic feet of space, and 2,298 feet of glass in windows, cannot be satisfactorily heated during cold weather so that an even temperature can be kept by stoves. When means are available so that the Board will be justified in so doing, a system of steam heating or hot blast should be inaugurated, which would add largely to the comfort and well being of the prisoners. The same power could with advantage be used in generating electricity with a suitable electric plant, wherewith a proper system of light could be supplied, thereby doing away with two hundred oil lamps now nightly in use. The pernicious effect of such a large number of oil lamps in one room cannot be over-estimated.

The entire building is finished in a plain but substantial manner, having cement floors in all the corridors and cells. The number of square feet of this quality of floor is 13,526. The galleries, which contain 4,665 square feet, are covered with one and a half inch flooring. The ceiling is covered with corrugated iron, which makes the entire building practically fire proof. The amount of inflammable material in the prison being limited to the galleries and window frames.

Ventilation, one of the most important factors relating to health in a prison, has been attended to with the utmost care, and with as much success as the present mode of heating the building will allow. The system in use at present is natural ventilation, each cell having separate ventilator of 48 square

inches from cell to roof. The two upper tiers, where vitiated air accumulates the most, have registers that open and shut, the remaining 88 cells have ventilators made of perforated iron plate. With a more perfect system of heating, artificial ventilation can be substituted.

The following tables will show quantities and cost of material used in construction during the present year, also the number of men employed inside the prison yard.

It is proper for me to report to the Board, that the Prison Contractors have always given me all assistance possible, Mr. Frank Conley giving his personal attention to the production of the raw material, and transportation to the prison yard.

There remains now but few improvements to be made at the State prison. The old wooden frame that surrounded the prison in 1893, and all the log buildings, have been replaced with substantial structures of stone and brick. All necessary workshops, kitchen, dining room and female quarters have been provided for, as well as ample cell room, and with 76 cells vacant, that can be utilized in any emergency or reserved for the increase of population.

For the last four years the prisoners have accustomed themselves to habits of labor and industry, thereby being benefited morally and physically; their behavior has always been satisfactory. If the Board cannot devise some means whereby they can be employed in the future, they must adapt themselves to forced habits of indolence and inactivity, thereby becoming less able mentally and physically to provide themselves with the necessaries of life after a term of years in prison.

TABLE "A."

Relating to Work on New Building, No. 2, at the State Prison, and Showing the Number of Days Prisoners Worked in Their Several Capacities.

Number of days worked by blacksmiths.....	329½
Number of days worked by blacksmith's help.....	111
Number of days worked by bricklayers.....	3,641½
Number of days worked by carpenters.....	752½
Number of days worked by carpenter's help.....	64
Number of days worked by clerk and timekeeper.....	197½
Number of days worked by draughtsman.....	38½
Number of days worked by foreman.....	161
Number of days worked by iron worker.....	351½
Number of days worked by laborers.....	5,511¾
Number of days worked by lather.....	62½
Number of days worked by painters.....	816
Number of days worked by plasterers.....	395½
Number of days worked by pipefitter.....	2
Number of days worked by sand crew.....	32½
Number of days worked by stone cutter.....	172½
Number of days worked by teamsters.....	211
Number of days worked by tin roofer.....	74
Total.....	13,226¾

This table does not include work done in brickyard, buckskin, wood camp or stone quarry.

TABLE "B."

Showing the Number of Skilled Mechanics Following Their Usual Calling Employed on the New Prison Building No. 2 During the Year of 1897.

Brickmasons—Average number employed, 26 men; none followed the business as a vocation.	
Stonemasons—Average number employed, 4 men; none followed the business as a vocation.	
Carpenters—Average number employed, 6 men; two of whom are carpenters by trade.	
Blacksmiths—Average number employed, 1 man; who is a blacksmith by trade.	
Plasterers—Average number employed, 4 men; one of whom is a plasterer by trade.	
Painters—Average number employed, 4 men; two of whom are painters by trade.	
Tinsmiths—Average number employed, 1 man; who is a tinsmith by trade.	
Laborers—Average number employed on this capacity, 64 men.	
Average number of men employed, 110 per month.	

TABLE "C."

Showing Quantity of Labor Performed on New Prison Building During the Year 1897.

Total number of brick laid.....	977,905
Total number of square yards plastering.....	107,000
Total number square feet cement floors.....	13,526
Total number square yards painting.....	1,215
Total number square feet cut stone.....	106
Total number perches foundation stone laid.....	511

TABLE "D."

Showing the Cost of Material and Tools Bought for the Construction of New Prison Building, No. 2, During Year 1897.

977,905 brick.....manufactured by prisoners	
544 perches rough stone for foundation.....manufactured by prisoners	
106 square feet cut stone.....manufactured by prisoners	
4,631 bushels of lime.....manufactured by prisoner	
731 loads of sand.....manufactured by prisoners	
30,345 feet board measure rough lumber, of which 3,876 feet cost.....	\$ 46 51
13,145 feet board measure dressed lumber.....	354 01
3,450 feet lined window stops and parting heads.....	36 76
\$1,726 pounds Bessemer steel and iron window gratings and doors.....	4,868 13
130 pounds Octagon steel tools.....	13 04
88 pounds Norway iron rivets.....	6 16
7 squares galvanized iron ventilators.....	49 40
111 squares corrugated iron ceiling.....	359 22
7,428 square feet roofing paper—ceiling.....	28 00
30 pounds solder—roof.....	3 60
5 pounds resin—roof.....	75
66,000 pounds English Portland cement—floors and plastering.....	931 75
11 bushels hair—plastering bedrooms.....	1 05
5,500 laths—bedrooms and stairways in towers.....	21 75
Hardware—finishings—locks, window fastenings, etc.....	86 91
Tools used in construction.....	350 08
Freight charges on foundation stone.....	180 04
16 kgs nails.....	56 45
6,407 pounds blacksmith coal.....	57 66
115 pounds powder—quarrying rock and lime stone.....	29 50
142½ gallons boiled oil for painting.....	73 01
41 gallons asphaltum for painting iron work.....	41 00
950 pounds white lead.....	76 00
720 pounds mineral and lampblack—painting and pointing exterior brick work.....	63 20

22 pounds color ground in oil.....	11 25
172 double deck bedsteads.....	1,505 00
Expenses moving material from Billings to Deer Lodge.....	193 12
Freight charges on material from Billings to Deer Lodge, and nature of same: 99,400 pounds Bessemer steel and iron, including doors, gratings, brackets, T rails, registers, posts, and 3,454 feet of pipe for railings; 36,670 pounds Yankton cement; 4,896 feet board measure dressed lumber; 3,712 square feet of glass in glazed windows, and frames to correspond; 42 doors and frames, wooden.....	1,471 78
Total	\$10,927 95

TABLE "E."

Showing the Total Amount of Material Used in Construction of New Prison Building, No. 2, During the Years 1896-1897.

Number of brick—manufactured by prisoners.....	2,178,768
Perches rough stone—manufactured by prisoners.....	1,220
Square feet cut stone—manufactured by prisoners.....	8,620
Bushels of lime—manufactured by prisoners.....	7,256
Loads of sand—manufactured by prisoners.....	1,256
Feet board measure, rough lumber.....	129,345
Feet board measure, dressed lumber.....	18,047
Lineal feet window stops and parting beads.....	3,150
Pounds Bessemer steel and iron.....	185,204
Pounds Norway iron	463
Squares galvanized iron.....	139½
Feet galvanized iron cornice.....	155
Squares corrugated iron	111
Squares Taylor's old-style tin.....	126
Square feet roofing paper.....	20,128
Pounds solder	389
Pounds resin	55
Pounds English Portland cement.....	66,000
Pounds Yankton, South Dakota cement.....	56,670
Bushels hair	11
Lath	8,500
Locks	217
Sash locks	48
Sash lifts	96
Pairs of butts.....	27
Pounds sash cord.....	21½
Kegs of nails.....	44
Pounds blacksmith coal.....	23,017
Pounds Octagon steel.....	1,301
Pounds white lead.....	1,050
Pounds mineral and lampblack.....	1,351

Pounds color ground in oil.....	32
Pounds powder quarrying rock and lime stone.....	250
Gallons of boiled oil.....	243½
Gallons asphaltum	42½
Square feet in windows.....	2,298
Number of doors and frames, wooden.....	22
Ventilators and registers.....	198
Number double-deck bedsteads.....	172

JAMES McCALMAN.

STATISTICAL TABLES.

RELATING TO THE PRISONERS IN THE STATE PRISON.

TABLE NO. 1.

Showing the Nativity of Prisoners Confined in the State Prison up to December 1, 1897.

Alabama	3	Nebraska	4
California	7	New Jersey	1
Colorado	1	New York	32
Connecticut	3	North Dakota	1
Delaware	1	Ohio	10
Georgia	1	Oregon	5
Idaho	1	Pennsylvania	14
Illinois	14	South Carolina	1
Indiana	6	Tennessee	5
Iowa	15	Texas	11
Kansas	3	Utah	5
Kentucky	5	Vermont	5
Louisiana	3	Virginia	6
Maine	1	Washington	2
Maryland	3	Washington D. C.	3
Massachusetts	12	West Virginia	1
Michigan	12	Wisconsin	11
Minnesota	9		
Missouri	13	Total from United States...	240
Montana	7		

FOREIGN LANDS.

Austria	4	Hungary	2
Australia	1	Italy	2
Bavaria	1	Ireland	21
Bohemia	1	Norway	1
Canada	20	Sweden	9
China	1	Scotland	5
East India	1	West India	1
England	16		
France	2	Total from foreign lands.....	109
Finland	4	Grand total	349
Germany	17		

TABLE NO. 2.

Showing in What County the Prisoners Confined in the State Prison to December 1, 1897, were convicted.

Beaverhead	11	Lewis and Clarke	45
Bearwater	1	Madison	10
Carbon	5	Meagher	2
Cascade	27	Missoula	27
Choteau	19	Park	8
Custer	17	Ravalli	1
Dawson	1	Silver Bow	69
Deer Lodge	37	Sweet Grass	4
Fergus	1	Teton	2
Flathead	11	Valley	8
Gallatin	12	Yellowstone	17
Granite	6		
Jefferson	12	Total	349

TABLE NO. 3.

Showing Term of Sentence of Prisoners Confined in the State Prison up to December 1, 1897.

2 months	1	11 years	2
1 year	59	12 years	11
1 year 2 months.....	2	14 years	3
1 year 3 months.....	2	15 years	5
1 year 4 months.....	1	17 years	5
1 year 6 months.....	19	18 years	1
2 years	35	20 years	7
2 years 4½ months.....	3	21 years	1
2 years 6 months.....	6	22 years	1
3 years	34	25 years	7
3 years 6 months.....	3	28 years	1
4 years	10	30 years	2
4 years 6 months.....	3	31 years	1
5 years	33	35 years	1

6 years	8	37 years	1
7 years	13	40 years	2
7 years 6 months.....	6	60 years	1
8 years	6	Life	23
9 years	1		
10 years	26	Total	349

TABLE NO. 4.

Showing Occupation of the Prisoners Confined in the State Prison up to December 1, 1897.

Actor	1	Ironmoulder	2
Barber	5	Journalist	1
Bartender	1	Laundryman	1
Blacksmith	7	Laborer	74
Brewer	1	Lapidary	1
Bricklayer	2	Locksmith	1
Boilermaker	1	Machinist	9
Bookkeeper	4	Mason	1
Butcher	9	Miller	2
Boatblack	1	Miner	36
Bookbinder	1	Moulder	1
Brickmaker	1	Operator	1
Cabinetmaker	2	Packer	1
Carpenter	7	Painter	7
Carpenter	1	Pawnbroker	1
Carriage painter	1	Porter	1
Clerk	1	Photographer	2
Cigar-maker	1	Plumber	2
Confectioner	2	Pugilist	1
Cook	15	Railroader	5
Cooper	3	Rancher	20
Cowboy	15	Sailor	6
Cyprian	4	Shoemaker	4
Dressmaker and hair dresser...	1	Steam fitter	2
Dishwasher	1	Stone mason	3
Electrician	2	Stone cutter	2
Engineer	5	Saloonkeeper	1
Engraver	1	Stage machinist	1
Farmer	8	Tailor	2
Fireman	7	Teamster	10
Gambler	3	Telegraph operator	1
Gardener	2	Upholsterer	1
Hack driver	1	Waller	10
Harnessmaker	2	Without occupation	7
Herder	1	Wood turner	1
Horseman	2	Wiremaker	1
Horseshoer	1		
Ironmaker	1	Total	349

TABLE NO. 5.

Showing Crimes Committed by Prisoners Confined in the State Prison up to
December 1, 1897.

AGAINST THE PERSON.

Assault to murder	3
Assault	4
Assault, second degree.....	23
Assault, first degree.....	2
Attempt to rob.....	2
Assault to murder and escape jail.....	1
Attempt to rape.....	1
Abortion	1
Involuntary manslaughter	1
Infamous crime	1
Manslaughter	14
Murder	29
Murder, second degree.....	11
Mayhem	2
Rape	16
Robbery	50
Robbery and prior conviction	1
Sodomy	2
Voluntary manslaughter.....	3

AGAINST PROPERTY.

Burglary	50
Burglary, second degree.....	13
Burglary, first degree	10
Burglary and escaping jail.....	3
Changing brands	2
Destroying public jail	1
Embezzlement	3
Forgery	15
Grand larceny	70
Gambling	1
Larceny	1
Larceny, first degree	2
Obtaining money under false pretenses.....	2
Petit larceny, second time.....	2
Receiving stolen property.....	2
Uttering fictitious check.....	1

AGAINST PUBLIC ORDER AND DECENCY.

Attempting to pass counterfeit coin	1
Escaping jail	1
Perjury	2
Total	319

TABLE NO. 6.

Showing Whether the Prisoners Confined in the State Prison up to December
1, 1897, are Married or Single.

Married	60
Single	289
Total	349

TABLE NO. 7.

Showing Under What Process Conviction of the Prisoners Now Confined in
the State Prison Was Had.

Indictment	12
Information	337
Total	349

TABLE NO. 8.

Showing the Age of Prisoners Confined in the State Prison up to Decem-
ber, 1, 1897.

From 15 to 19 years.....	14
From 20 to 24 years.....	71
From 25 to 29 years.....	85
From 30 to 34 years.....	69
From 35 to 39 years.....	54
From 40 to 49 years.....	41
From 50 to 59 years.....	13
From 60 to 69 years.....	1
From 70 to 80 years.....	1
Total	349

TABLE NO. 9.

Showing the Number of Cases Treated by the Prison Physician from December 1, 1896, to December 1, 1897, and the nature of the disease.

Asthma	1	General Malaise	53
Biliousness	20	Hæmorrhagia	3
Bronchitis	6	Hæmorrhoids	2
Bronchitis, cap	4	Hæmorrhage	2
Carbuncle	1	Incontinence of urine	1
Catarrh	1	Indigestion	4
Chronic nephritic	8	Insomnia	4
Chorea	2	Influenza	10
Conjunctivitis	1	Malaise	2
Constipation	5	Nephritic	1
Diarrhoea	27	Neuralgia	11
Diarrhoea, bilious	1	Peri carditis	1
Dropsy	1	Prostitis	1
Dysentery	8	Psoriasis	3
Dysentery, bilious	1	Rheumatism	23
Dysmenorrhœa	2	Secondary syphilis	2
Dyspepsia	1	Semi-emission	3
Eczema	1	Sistitis	1
Enlarged testicle	1	Stomatitis	1
Erysipelas	1	Syphilis	2
Eye injured	1	Tobacco heart	1
Faringitis	3	Tonsillitis	33
Farrinestis	1	Valvular heart disease	4
Fractured tibia	1		
Gastritis	1	Total	279
Gastric catarrh	1		

TABLE NO. 10.

Showing the Number of Days Prisoners Were Treated by the Physician for Each Disease Mentioned in Table No. 9, From December 1, 1896, to December 1, 1897.

4 prisoners treated	2 days each.
15 prisoners treated	3 days each.
61 prisoners treated	4 days each.
51 prisoners treated	5 days each.
30 prisoners treated	6 days each.
23 prisoners treated	7 days each.
21 prisoners treated	8 days each.
13 prisoners treated	9 days each.

13 prisoners treated	10 days each.
2 prisoners treated	12 days each.
1 prisoner treated	13 days.
4 prisoners treated	14 days each.
2 prisoners treated	15 days each.
2 prisoners treated	16 days each.
1 prisoner treated	20 days.
2 prisoners treated	21 days each.
2 prisoners treated	25 days each.
1 prisoner treated	27 days.
1 prisoner treated	28 days.
3 prisoners treated	30 days each.
7 prisoners treated	31 days each.
1 prisoner treated	35 days.
1 prisoner treated	39 days.
1 prisoner treated	40 days.
1 prisoner treated	53 days.
1 prisoner treated	58 days.
2 prisoners treated	61 days each.
1 prisoner treated	64 days.
2 prisoners treated	84 days each.
1 prisoner treated	90 days.
1 prisoner treated	92 days.
1 prisoner treated	113 days.
1 prisoner treated	118 days.
1 prisoner treated	121 days.
1 prisoner treated	145 days.
1 prisoner treated	365 days.

279—Total number treated.

TABLE NO. 11.

Showing the Number of Prisoners Punished for Violation of the Rules and the Number of the Rule Violated.

Rule 40, violated by	4 prisoners.
Rule 46, violated by	11 prisoners.
Rule 50, violated by	3 prisoners.
Rule 51, violated by	5 prisoners.
Rule 52, violated by	33 prisoners.
Rule 54, violated by	1 prisoner.
Rule 57, violated by	11 prisoners.
Rule 66, violated by	3 prisoners.
Rule 91, violated by	92 prisoners.
Total number violating rules,	163.

TABLE NO. 12.

Showing Mode and Extent of Punishment of the Prisoners Confined in the State Prison During the Fiscal Year Ending November 30, 1897.

1 prisoner, dark cell, bread and water, 2 days
 9 prisoners, dark cell, bread and water, 4 days
 18 prisoners, dark cell, bread and water, 5 days.
 93 prisoners, dark cell, bread and water, 6 days.
 33 prisoners, dark cell, bread and water, 10 days
 8 prisoners, dark cell, bread and water, 15 days
 1 prisoner, dark cell, bread and water, 20 days.

163—total number prisoners punished.

TABLE NO. 13.

Showing the Number of Prisoners in the State Prison Having Money to Their Credit December 1, 1896, and the Amount, Number Receiving and Earning Money Since December 1, 1896, and the Amount; Number Expending Money While in Prison, and Amount, and Number Having Money to Their Credit at the End of the Year, and the Amount.

Number of prisoners having money December 1, 1896.....	108
Amount so held	\$1,323 56
Number of prisoners receiving money during the year ending November 30, 1897.....	227
Amount so received	\$448 92
Number of prisoners expending money during the year ending November 30, 1897.....	244
Amount so expended	\$1,321 41
Number of prisoners having money November 30, 1897.....	107
Amount so held	\$1,320 99

TABLE NO. 14.

Showing the Total Number of Prisoners Released From the State Prison by Expiration of Sentence, Pardon, Etc.

Discharged by expiration of sentence.....	37
Discharged by pardon	21
Discharged by diminution of sentence.....	91
Discharged by order of court	1
Escaped	4
Total	154

*These prisoners allowed diminution of sentence worked upon the improvements at the State Prison, and were recommended to the Governor by the Board of State Prison Commissioners for extra good time.

TABLE NO. 15.

Showing Length of "Good Time" Allowed Prisoners Discharged From the State Prison From December 1st, 1896, to December 1st, 1897.

1 prisoner allowed 4 days good time
1 prisoner allowed 5 days good time.
1 prisoner allowed 7 days good time.
2 prisoners allowed 15 days good time.
1 prisoner allowed 21 days good time.
1 prisoner allowed 23 days good time.
1 prisoner allowed 26 days good time.
2 prisoners allowed 27 days good time.
11 prisoners allowed 1 month good time
2 prisoners allowed 1 month 8 days good time
14 prisoners allowed 1 month 9 days good time.
2 prisoners allowed 1 month 10 days good time.
1 prisoner allowed 1 month 15 days good time.
1 prisoner allowed 1 month 16 days good time.
1 prisoner allowed 1 month 18 days good time.
1 prisoner allowed 1 month 19 days good time.
2 prisoners allowed 1 month 20 days good time
1 prisoner allowed 1 month 22 days good time.
1 prisoner allowed 1 month 23 days good time.
2 prisoners allowed 1 month 26 days good time.
1 prisoner allowed 2 months good time.
22 prisoners allowed 2 months good time.
1 prisoner allowed 2 months 3 days good time.
1 prisoner allowed 2 months 5 days good time.
2 prisoners allowed 2 months 8 days good time.
4 prisoners allowed 2 months 9 days good time.
1 prisoner allowed 2 months 10 days good time

1 prisoner allowed 2 months 19 days good time.
 11 prisoners allowed 3 months good time.
 2 prisoners allowed 3 months 8 days good time.
 1 prisoner allowed 3 months 9 days good time.
 1 prisoner allowed 3 months 10 days good time.
 1 prisoner allowed 3 months 15 days good time.
 1 prisoner allowed 3 months 16 days good time.
 3 prisoners allowed 4 months good time.
 1 prisoner allowed 4 months 7 days good time.
 1 prisoner allowed 4 months 23 days.
 1 prisoner allowed 5 months 14 days good time.
 1 prisoner allowed 5 months 27 days.
 1 prisoner allowed 6 months good time.
 1 prisoner allowed 6 months 7 days good time.
 1 prisoner allowed 6 months 8 days good time.
 1 prisoner allowed 6 months 10 days good time.
 1 prisoner allowed 7 months good time.
 1 prisoner allowed 8 months good time.
 1 prisoner allowed 8 months 10 days good time.
 1 prisoner allowed 8 months 28 days good time.
 1 prisoner allowed 10 months 8 days good time.
 1 prisoner allowed 11 months good time.
 1 prisoner allowed 11 months 17 days good time.
 1 prisoner allowed 1 year 3 months 6 days good time.
 1 prisoner allowed 1 year 3 months 9 days good time.
 1 prisoner allowed 1 year 3 months 26 days good time.
 1 prisoner allowed 1 year 4 months good time.
 1 prisoner allowed 1 year 6 months good time.
 1 prisoner allowed 1 year 6 months 24 days good time.
 1 prisoner allowed 1 year 7 months 8 days good time.
 1 prisoner allowed 1 year 9 months 24 days good time.
 1 prisoner allowed 1 year 10 months good time.
 3 prisoners allowed 2 years good time.
 1 prisoner allowed 2 years 3 months good time.
 1 prisoner allowed 2 years 3 months 18 days good time.
 1 prisoner allowed 2 years 7 months 6 days good time.
 1 prisoner allowed 2 years 7 months 8 days.
 1 prisoner allowed 2 years 10 months 2 days good time.
 1 prisoner allowed 3 years 3 months good time.
 1 prisoner allowed 3 years 9 months 7 days good time.
 1 prisoner allowed 3 years 10 months 24 days good time.
 1 prisoner allowed 3 years 11 months 28 days good time.
 1 prisoner allowed 4 years 7 months good time.
 1 prisoner allowed 4 years 10 months 3 days good time.
 1 prisoner allowed 5 years 2 months 28 days good time.
 1 prisoner allowed 5 years 5 months 9 days good time.
 1 prisoner allowed 5 years 11 months 8 days good time.
 1 prisoner allowed 8 years 3 months good time.
 1 prisoner allowed 11 years 3 months 20 days good time.
 1 prisoner allowed 10 months 18 days good time.
 2 prisoners allowed 15 years 8 months 17 days good time.
 Total number of prisoners allowed good time, 148.

TABLE NO. 16.

Showing the Number of Prisoners Furnished Cash Gratuity When Discharged, and the Amount so Furnished.

Number of prisoners furnished cash gratuity.....	150
Total amount so furnished.....	\$750 00

TABLE NO. 17.

Showing the Number of Prisoners Furnished With Clothing When Discharged, and the Value of Clothing So Furnished.

Number of prisoners furnished clothing.....	150
Total value of clothing so furnished.....	\$2,250 00

TABLE NO. 18.

Showing Number of Previous Commitments of the Prisoners Now Confined in the State Prison.

No previous commitments.....	317
One previous commitment.....	27
Two previous commitments.....	2
Three previous commitments.....	2
Five previous commitments.....	1
Total	349

TABLE NO. 19.

Showing Conduct of the Prisoners for the Fiscal Year Ending November 30, 1897, Who Were Discharged During the Year.

Good	119
Fair	13
Bad	11
Very bad.....	7
Total	150

Conley & McTague, tobacco for prisoners working.....	302 10
Conley & McTague, express charges.....	1 35
Conley & McTague, extra food and clothing prisoners working....	1,735 46
Conley & McTague, feed for horses.....	905 80
Conley & McTague, one-half cost construction lime kiln.....	112 50
Conley & McTague, extra guards and foremen.....	1,282 14
*E. L. Bonner Co., lumber.....	210 00
*City Drug Store, paints, brushes, oils.....	44 95
*Alf Whitworth, material for painting and glazing.....	98 10
*Northwestern Wire Mattress Co., 24 special institution beds.....	1,255 00
*Montana Union Railroad Co., freight on beds.....	250 00
*Zenor & Trask, hardware.....	186 74
*A. M. Holter Hardware Co., hardware.....	92 06
*Anaconda Copper Mining Co., foundry department, doors, frames, etc.....	1,750 80
*Jas. McCalman, salary for October.....	208 00
*Jas. McCalman, expense for October.....	3 35
Total	\$18,263 98

*Claims having stars are to be paid out of appropriation for 1898, because the balance remaining unexpended in the appropriation of 1897 is inadequate.

TABLE NO. II.

Showing the Amount of Appropriation for the Care and Keep of Prisoners,
and the Amount of Money Expended From This Fund, for
the Fiscal Year Ending November 30, 1897.

Amount of appropriation fiscal year 1897.....	\$50,000 00
Amount expended in erection and construction of new building No. 2.....	\$12,192 61
Amount expended for transporting convicts.....	1,004 30
Amount expended for watchman Eastern State prison..	47 00
Amount expended for school supplies.....	47 49
Amount expended for clothing and money furnished discharged prisoners under Sec- tion 2971 of the Penal Code.....	\$2,200 00
Amount expended for care and keep of prisoners under contract with Conley & McTague	33,933 20
Total for care and keep, clothing and money for prisoners.....	\$36,138 20—36,138 20
Total amount expended 1897 appropriation.....	\$49,424 60—49,424 60
Balance remaining in appropriation.....	\$575 40
Bills outstanding for care and keep of convicts.....	8,726 58
For clothing and cash gratuity.....	800 00
For erection and construction new building, No. 2.....	4,099 57
Total	\$13,626 12

*\$88 of the appropriation of 1895 and \$1,883.80 of the appropriation of 1896 was also expended in the construction of new building No. 2 during fiscal year 1897.

TABLE NO. III.

Showing Expense Incurred for Custodian of the Eastern State Prison From
December 1, 1896, to January 17, 1897.

Frank Baker, salary as custodian of building and grounds Eastern State prison from December 1, 1896, to January 17, 1897, at the rate of \$30 per month.....	\$47 00
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TABLE A.

Showing the Amount Paid Contractors Monthly for the Keeping of Prisoners for the Fiscal Year Commencing December 1st, 1896, and Ending November 30th, 1897, and the Amount Paid Out Monthly for Clothing for Discharged Convicts, and the Amount of Money Paid Out to Such Convicts During the Fiscal Year.

Expense of keeping prisoners from December 1, 1896, to December 31, 1896—

From December 1 to December 31, 1896, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

321 prisoners, 9838 days, at 35c per capita per day.....\$3,443 30

The State paid out for clothing and cash gratuity for 17 prisoners discharged between December 1 and December

31, 1896, as follows:

Clothing	\$255 00	
Cash gratuity.....	85 60	340 00

Total expense of State prison for 31 days, from December 1, 1896, to December 31, 1896.....\$3,783 30

Expense of keeping prisoners from January 1, 1897, to January 17, 1897—

From January 1 to January 17, 1897, both inclusive, the State paid out for the care and keeping of prisoners as follows:

308 prisoners, 5,264 days, at 35c per capita per day.....\$1,842 40

The State paid out for clothing and cash gratuity for 10 prisoners discharged between January 1 and January 17,

1897, as follows:

Clothing	\$150 00	
Cash gratuity.....	50 00	200 00

Total expense of State prison for 17 days, from January 1, 1897, to January 17, 1897.....\$2,042 40

Expense of keeping prisoners from January 18, 1897, to February 14, 1897—

From January 18 to February 14, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

316 prisoners, 8,743 days, at 35c per capita per day.....\$3,065 05

The State paid out for clothing and cash gratuity for 11 prisoners discharged between January 18 and February

14, 1897, as follows:

Clothing	\$165 00	
Cash gratuity.....	55 00	220 00

Total expense of State prison for 28 days, from January 18, 1897, to February 14, 1897.....\$3,280 05

Expense of keeping prisoners from February 15, 1897, to March 14, 1897—
From February 15 to March 14, 1897, both inclusive, the State paid out for the care and keeping of prisoners as follows:

321 prisoners, 8,993 days, at 35c per capita per day.....\$3,147 55

The State paid out for clothing and cash gratuity for 12 prisoners discharged between February 15 and March 14, 1897, as follows:

Clothing	\$180 00	
Cash gratuity.....	60 00	240 00

Total expense of State prison for 28 days, from February 15, 1897, to March 14, 1897.....\$3,387 55

Expense of keeping prisoners from March 15, 1897, to April 18, 1897—

From March 15 to April 18, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

325 prisoners, 11,214 days, at 35c per capita per day.....\$3,924 90

The State paid out for clothing and cash gratuity for 12 prisoners discharged between March 15 and April 18,

1897, as follows:

Clothing	\$180 00	
Cash gratuity.....	60 00	240 00

Total expense of State prison for 35 days, from March 15, 1897, to April 18, 1897.....\$4,164 90

Expense of keeping prisoners from April 19, 1897, to May 16, 1897—

From April 19 to May 16, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

340 prisoners, 9,342 days, at 35c per capita per day.....\$3,269 70

The State paid out for clothing and cash gratuity for 7 prisoners discharged between April 19 and May 16, 1897,

as follows:

Clothing	\$105 00	
Cash gratuity.....	35 00	140 00

Total expense of State prison for 28 days, from April 19, 1897, to May 16, 1897.....\$3,409 70

Expense of keeping prisoners from May 17, 1897, to June 20, 1897—

From May 17 to June 20, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

342 prisoners, 12,039 days, at 35c per capita per day.....\$4,213 65

The State paid out for clothing and cash gratuity for 12 prisoners discharged between May 17 and June 20, 1897,

as follows:

Clothing	\$180 00	
Cash gratuity.....	60 00	240 00

Total expense of State prison for 35 days, from May 17, 1897, to June 20, 1897.....\$4,453 65

Expense of keeping prisoners from June 21, 1897, to July 18, 1897—

From June 21 to July 18, 1897, both inclusive, the State paid out for the care and keeping of prisoners as follows:

342 prisoners, 9,612 days, at 35c per capita per day.....\$3,364 20

The State paid out for clothing and cash gratuity for 4

prisoners discharged between June 21 and July 18, 1897,

as follows:

Clothing	\$60 00	
Cash gratuity.....	20 00	80 00

Total expense of State prison for 28 days, from June 21, 1897,
to July 18, 1897.....\$3,444 20

Expense of keeping prisoners from July 19, 1897, to August 15, 1897—

From July 19 to August 15, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

352 prisoners, 9,658 days, at 35c per capita per day.....\$3,380 30

The State paid out for clothing and cash gratuity for 8

prisoners discharged between July 19 and August 15,

1897, as follows:

Clothing	\$120 00	
Cash gratuity.....	40 00	160 00

Total expense of State prison for 28 days, from July 19, 1897
to August 15, 1897.....\$3,540 30

Expense of keeping prisoners from August 16, 1897, to September 19, 1897—

From August 16 to September 19, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

347 prisoners, 12,249 days, at 35c per capita per day.....\$4,287 15

The State paid out for clothing and cash gratuity for 17

prisoners discharged between August 16 and September

19, 1897, as follows:

Clothing	\$255 00	
Cash gratuity.....	85 00	340 00

Total expense of State prison for 35 days, from August 16,
1897, to September 19, 1897.....\$4,627 15

Expense of keeping prisoners from September 20, 1897, to October 17, 1897—

From September 20 to October 17, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

345 prisoners, 9,795 days, at 35c per capita per day.....\$3,428 25

The State paid out for clothing and cash gratuity for 16

prisoners discharged between September 20 and October

17, 1897, as follows:

Clothing	\$240 00	
Cash gratuity.....	80 00	320 00

Total expense of State prison for 28 days, from September 20,
1897, to October 17, 1897.....\$3,748 25

Expense of keeping prisoners from October 18, 1897, to November 14, 1897—

From October 18 to November 14, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

341 prisoners, 9,635 days, at 35c per capita per day.....\$3,372 25

The State paid out for clothing and cash gratuity for 20

prisoners discharged between October 18 and November

14, 1897, as follows:

Clothing	\$300 00	
Cash gratuity.....	100 00	400 00

Total expense of State prison for 28 days, from October 18,
1897, to November 14, 1897.....\$3,772 25

Expense of keeping prisoners from November 14, 1897, to November 30, 1897—

From November 14 to November 30, 1897, both inclusive, the State paid out for the care and keeping of prisoners, as follows:

349 prisoners, 5,503 days, at 35c per capita per day.....\$1,926 05

The State paid out for clothing and cash gratuity for 4

prisoners discharged between November 14 and Novem-

ber 30, 1897, as follows:

Clothing	\$60 00	
Cash gratuity.....	20 00	80 00

Total expense of State prison for 16 days, from November 14,
1897, to November 30, 1897.....\$2,006 05

EXPENSE STATE PRISON.

RECAPITULATION.

December 1, 1896, to December 31, 1896, 31 days.....	\$2,783 30
January 1, 1897, to January 17, 1897, 17 days.....	2,042 40
January 18, 1897, to February 14, 1897, 28 days.....	3,280 05
February 15, 1897, to March 14, 1897, 28 days.....	3,387 55
March 15, 1897, to April 18, 1897, 35 days.....	4,164 90
April 19, 1897, to May 16, 1897, 28 days.....	3,409 70
May 17, 1897, to June 20, 1897, 35 days.....	4,453 65
June 21, 1897, to July 18, 1897, 28 days.....	3,444 20
July 19, 1897, to August 15, 1897, 28 days.....	3,540 30
August 16, 1897, to September 19, 1897, 28 days.....	4,627 15
September 20, 1897, to October 17, 1897, 28 days.....	3,748 25
October 18, 1897, to November 14, 1897, 28 days.....	3,772 25
November 14, 1897, to November 30, 1897, 16 days.....	2,006 05

Total\$45,659 75

TABLE "B."

Showing the Name of the Sheriff of Each County Wherein Prisoner Was Sentenced, Date of Admission at the Prison, Amount of Actual Expenses for Transporting Each Convict to the Prison, Total Number of Prisoners Taken From Each County for the Fiscal Year Ending November 30, 1897.

NAME OF SHERIFF	Number of Prisoners	County where Sentenced	Date of Admission	Amount Claimed by Sheriff	Amount Paid	Total amount paid for transporting Convicts
C. H. Padlay	2	Beaverhead	Mar. 23, '97	\$ 24 65		24 65
Chas. C. Proctor	2	Cascade	May 21, '97	15 05		15 05
Thos. Hagan	2	Carbon	Jan. 21, '97	84 30	\$ 39 60	44 70
John Dunn	1	"	Nov. 24, '96	96 50		96 50
Geo. B. McLaughlin	5	Choteau	Apr. 24, '97	65 10	40 15	24 95
"	"	"	Dec. 6, '96			
"	"	"	"	151 15		151 15
P. Clary	3	"	Nov. 7, '97			
"	"	"	Mar. 11, '97	117 00		117 00
"	2	"	May 14, '97	64 80		64 80
"	2	"	Aug. 10, '97	64 50	19 00	45 50
"	4	"	Aug. 13, '97			
"	"	"	"	143 45	21 00	119 45
"	1	"	Aug. 16, '97	50 50	21 00	29 50
Jan. B. Hawkins	6	Custer	Dec. 16, '96			
"	"	"	Dec. 20, '97			
"	"	"	"	313 20		313 20
Jno. Gibb	1	"	Apr. 1, '97	81 00	46 10	34 90
"	4	"	Apr. 13, '97			
"	"	"	Apr. 15, '97			
"	"	"	Apr. 17, '97	267 50	139 20	128 30
"	1	"	Jan. 19, '97	81 45	46 10	35 35
"	1	"	Jan. 24, '97	80 95	46 40	34 55
W. F. Hubbard	1	Flathead	Feb. 21, '97	84 25	42 00	12 25
"	1	"	May 28, '97	92 35	43 00	49 35
W. J. Farnham	2	Gallatin	Feb. 19, '97			
"	"	"	May 14, '97	38 60		38 60
"	2	"	May 30, '97	56 45	1 00	55 45
H. I. Sherlock	3	Jefferson	July 20, '97			
"	"	"	"	52 30	4 00	48 30
"	"	"	Oct. 17, '97			
"	2	"	Oct. 22, '97	41 80	4 00	37 80
"	"	"	Oct. 26, '97	20 60	4 00	16 60
J. H. Jurgens	1	Lewis and Clarke	Dec. 8, '96	14 45		14 45
T. J. Davidson	11	"	Jan. 22, '97			
"	"	"	Jan. 27, '97			
"	"	"	Jan. 31, '97			
"	"	"	Feb. 7, '97			
"	"	"	"			
"	"	"	Feb. 9, '97			
"	"	"	Feb. 13, '97			

TABLE "B"—Continued.

NAME OF SHERIFF	Number of Prisoners	County where Sentenced	Date of Admission	Amount Claimed by Sheriff	Amount Paid	Total amount paid for transporting Convicts
T. J. Davidson	2	Lewis and Clarke	Feb. 13, '97	\$ 115 55		\$ 115 55
"	"	"	Feb. 24, '97			
"	1	"	Apr. 19, '97	13 45		13 45
"	2	"	May 6, '97			
"	1	"	May 8, '97	13 05		13 05
"	"	"	May 9, '97	13 45		13 45
J. I. Haines	1	Madison	Dec. 1, '96	43 50		43 50
H. W. McLaughlin	4	Missoula	Jan. 21, '97			
"	"	"	Jan. 27, '97			
"	"	"	Jan. 29, '97			
"	"	"	Mar. 9, '97	61 40	30 80	30 80
"	3	"	Apr. 6, '97			
"	"	"	Apr. 21, '97			
"	"	"	May 3, '97	46 25	23 10	23 10
B. S. Chaffin	1	Ravalli	Dec. 10, '96	20 35		20 35
Sam'l J. Reynolds	5	Silver Bow	Nov. 28, '96			
"	"	"	Dec. 15, '96			
"	"	"	Dec. 21, '96			
"	"	"	Dec. 31, '96	45 00		45 00
P. H. Hegan	2	"	Jan. 25, '97			
"	15	"	Feb. 18, '97	19 00		19 00
"	"	"	Mar. 10, '97			
"	"	"	Mar. 27, '97			
"	"	"	Mar. 30, '97			
"	"	"	Apr. 10, '97			
"	"	"	Apr. 13, '97			
"	"	"	Apr. 23, '97			
"	"	"	Apr. 24, '97			
"	"	"	Apr. 29, '97			
"	"	"	May 7, '97			
"	"	"	May 11, '97			
"	"	"	May 12, '97			
"	"	"	May 11, '97			
"	"	"	May 14, '97			
"	"	"	May 25, '97			
"	2	"	May 25, '97	113 50		113 50
"	"	"	June 23, '97			
"	"	"	July 23, '97	19 00	8 00	11 00
Geo. A. Berk	1	Yellowstone	Mar. 11, '97	60 70	31 40	29 30
"	1	"	May 25, '97	56 80	31 50	25 30
"	1	"	May 26, '97	56 80	31 50	25 30
Total				\$ 2,918 55	\$ 680 05	\$ 2,238 50

RECAPITULATION.

COUNTY.	No. of Prisoners	Total Expense
Beverhead.....	2	\$ 30 70
Cascade.....	2	48 50
Carbon.....	17	144 45
Choteau.....	13	524 40
Custer.....	2	576 00
Flathead.....	4	90 50
Gallatin.....	6	94 05
Jefferson.....	19	102 70
Lewis and Clarke.....	1	214 65
Madison.....	1	43 50
Minidoka.....	1	53 90
Navaho.....	24	30 35
Silver Bow.....	3	218 50
Yellowstone.....		79 90
Total.....	104	\$ 2,238 50

This table does not cover the full expense incurred, but such bills as have been received up to date.

EXPENSE ACCOUNT OF THE BOARD OF STATE PRISON COMMISSIONERS.

Name of Person Rendering Service or Furnishing Supplies.	Character of Service Rendered or Article for which Expense was Incurred.	Amount Allowed and Paid.	Date Allowed	Appropriation Paid From.
Northern Pacific Ex. Co.	Express charges	\$ 3 80	Dec. 31, 1896	Ex Acc't. Board Prison Comm'rs
Northern Pacific Ex. Co.	Express charges	2 50	Mar. 15, 1897	"
C. B. Nolan	Express charges	3 43	Mar. 15, 1897	"
Helena Book and Sta. Co.	Supplies	10 00	Mar. 25, 1897	"
Northern Pac. Exp. Co.	Express charges	17 23	Mar. 30, 1897	"
Helena Book and Sta. Co.	Supplies	3 50	Apr. 19, 1897	"
Northern Pac. Ex. Co.	Express charges	1 75	Apr. 19, 1897	"
Northern Pac. Ex. Co.	Express charges	3 02	May 17, 1897	"
A. E. Spriggs	Visit to prison	3 80	Jun. 21, 1897	"
C. B. Nolan	Visit to prison	2 40	Jun. 25, 1897	"
Northern Pacific Express Co.	Express charges	3 10	Jul. 20, 1897	"
Northern Union Tail, Co.	Express charges	3 05	Jul. 19, 1897	"
Northern Pac. Ex. Co.	Express charges	1 45	Aug. 16, 1897	"
T. H. Clewell	Express charges	2 30	Aug. 16, 1897	"
T. Blackstone	Police stamps	10 00	Aug. 16, 1897	"
Northern Pac. Ex. Co.	Express charges	3 45	Aug. 16, 1897	"
K. M. Clements	Express charges	3 45	Sep. 20, 1897	"
Il. B. Smith	Express charges	2 00	Sep. 20, 1897	"
C. B. Nolan	Visit to prison	3 50	Sep. 24, 1897	"
T. S. Hogan	Visit to prison	3 00	Sep. 24, 1897	"
Helena Book and Sta. Co.	Box rubber bands	2 40	Oct. 18, 1897	"
Northern Pacific Ex. Co.	Express charges	1 50	Nov. 15, 1897	"
Northern Pac. Ex. Co.	Express charges	2 35	Nov. 15, 1897	"
		\$ 97 71		

APPENDIX E

LIST OF WARDENS

MONTANA STATE PRISON WARDENS

NAME

Frank Conley	Warden of Territorial Prison before Montana became a state in November, 1889, and after Statehood until April 17, 1921.
M. W. Potter	April 1921 - June 1924
J. W. Cole	June 1924 - March 1925
Austin B. Middleton	March 1925 - March 1937
Theodore R. Bergstrom	March 1937 - March 1941
Dudley Jones	March 1941 - December 1941
John E. Henry	December 1942 - March 1949
Lou Boedecker	March 1949 - March 1953
F. O. Burrell	March 1953 - February 1958
Floyd Powell	March 1958 - February 1962
Ellsworth	March 1962 - April 1969
Estelle	April 1969 - June 1972
Roger Crist	June 1972 - Present

HISTORIC STRUCTURES REPORT
MONTANA STATE PRISON

Prepared by:
James R. McDonald Architect
Prepared for:
Powell County Museum and Arts Foundation,
Deer Lodge, Montana

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